



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

FROM

The Regents of the University,

EX-OFFICIO

TRUSTEES OF THE STATE LIBRARY,

IN BEHALF OF THE

State of New York.

DUPPLICATE

To the Government of Switzerland

DUPPLICATE



FROM

The Regents of the Uni

EX-OFFICIO

JUSTICES OF THE STATE

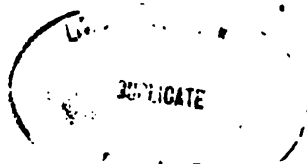
IN BEHALF OF THE

State of New York
DUPLICATE

the Government of

DUPLICATE





JOURNAL OF THE SENATE.

STATE OF NEW-YORK;
SENATE CHAMBER, IN THE CITY OF ALBANY,
TUESDAY, JANUARY 4, 1853.

The Senate met in pursuance of the Constitution, and was called to order by its President, the Lieutenant Governor.

Prayer by the Rev. Mr. Beecher.

The Clerk called the roll of Senators, and all but three being present, the President announced that the Senate was ready to proceed to business.

On motion of Mr. Cooley,

Resolved, That a committee be appointed by the President to wait upon his Excellency the Governor, and inform him that the Senate is convened and ready to proceed to business.

The President appointed Messrs. Cooley and Babcock such committee.

On motion of Mr. Bartlett,

Resolved, That a committee of two be appointed to inform the Assembly that the Senate is duly convened and ready to proceed to business.

The President appointed Messrs. Bartlett and Taber such committee.

Mr. Cooley, from the committee to inform the Governor that the Senate was ready for business, reported that they had discharged that duty, and that his Excellency would communicate with this body in writing.

Mr. Bartlett, from the committee to inform the Assembly that the Senate was ready to proceed to business, reported that they had discharged the duty assigned them.

Messrs. Ingalls and Forsyth, a committee from the Assembly, announced that that body was duly organized and ready to proceed to business.

Mr. Beekman offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the Clerk be authorised to provide the Lieut. Governor, and each of the members and officers of the Senate, with newspapers, not exceeding in number or expense those fur-

nished at the last session, and that the same be paid for from the contingent fund of the Legislature.

Mr. Cooley moved to amend by striking out all after the word "resolved," and inserting as follows:

"That the Clerk furnish the Lieut. Governor and each of the Senators, with the same quantity of newspapers as were ordered at the last session, and that the expense thereof, together with the postages on public documents mailed by the members of the Senate, be paid out of the fund to be appropriated."

Mr. McElwain moved to amend by inserting after the word "documents," the words "and newspapers."

The President put the question whether the Senate would agree to the said motion of Mr. McElwain, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said motion of Mr. Cooley, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution, as amended, and it was decided in the affirmative.

On motion of Mr. Jones,

Resolved, That the Clerk of the Senate be directed to invite the clergymen of this city, who have charge of religious congregations, to open the daily sittings of the Senate with prayer, and attend in such order as shall best suit their convenience.

Mr. McMahon, private secretary of the Governor, appeared in the Senate Chamber and presented the annual message of the Governor, which was read by the Clerk in the following words and figures, to wit:

TO THE SENATE AND ASSEMBLY:

FELLOW CITIZENS:—Charged with administering the affairs of a State unequalled by any in the Union in population, wealth, and commercial interests, we have reason to distrust our own ability in the performance of the duties imposed upon us, and to implore the continued direction of that Providence which has hitherto guided and blessed the people of this State and Nation.

In reviewing the events of the year, we find that the interests of religion and learning have been promoted, the efforts of industry rewarded, our mechanics profitably employed; and in the various departments of agriculture, trade and commerce, an unusual degree of prosperity has prevailed. Although some branches of manufactures have failed to yield remunerative returns, we have reason to believe that an increasing demand for their productions will soon place them in a prosperous and healthful condition.

In the midst of the enjoyment of freedom, peace, and prosperity, we have been aroused to a sense of the uncertainty of human life and happiness, by the startling appearance in some

portions of our State, of a mysterious pestilence. We have also been impressed with the fleeting character of earthly pursuits and honors, by the death of two eminent statesmen of our country. While differences of opinion are entertained, as to the correctness of their political views, it is gratifying that all classes of our citizens have united in manifesting their respect for the services, abilities and patriotism, of the illustrious men whose deaths are regarded as national misfortunes.

The numerous charitable and benevolent institutions of the State, designed to relieve the subjects of bodily and mental affliction, are successfully fulfilling the objects for which they were established. Their liberal support and endowment, are proper and becoming public expressions of gratitude, for the bestowment upon our people, of abundance, peace and prosperity.

The number of patients in the State Asylum at Utica, was:

	Males.	Females.	Total.
At the commencement of the year,...	220	215	435
Admitted during the year,.....	200	190	390
	<hr/>	<hr/>	<hr/>
Total number treated,	420	405	825

There have been discharged during the year:

	Males.	Females.	Total.
Recovered,	92	64	156
Much improved,	7	4	11
Improved,	21	21	42
Unimproved,	63	89	152
Died,	22	17	39
	<hr/>	<hr/>	<hr/>
	205	195	400

I have received the following statement in reference to the Lunatic Asylum on Blackwell's Island:

Remaining in the Asylum on the 1st January, 1852,	517
Admitted from 1st January to 18th December, 1852,	488
	<hr/>
	1005

Discharged during same period,	341
Died,	128
	<hr/>
	469

Remaining December 18, 1852,	536
------------------------------------	-----

Of those admitted, 99 were natives, and 389 foreigners.

Of those discharged, 71 were natives, and 270 foreigners.

Of those who died, 29 were natives, and 99 foreigners.

It appears from the last annual message of my predecessor, that the number of insane persons in the State in 1850, as shown by the census of that year, was 2,506, of whom 1,106 were in Asylums, leaving 1400 to be supported in private families, or poor

houses. I concur with him in suggesting that "further provision ought to be made for the relief of this unhappy class of our fellow beings."

I recommend the establishment of another asylum in the western part of the State.

The annual report of the trustees of the asylum for idiots, will be laid before you and will receive at your hands, I doubt not, that attention which the nature of this most benevolent charity must awaken in every intelligent mind.

The report confirms the hopes indulged in that of the preceding year, and satisfactorily shows that a class of human beings whose condition has generally been regarded as utterly hopeless, may, by proper training and culture, have their faculties so developed and improved, as not only to relieve the anxiety of parents and friends, but also to enable them to engage in many occupations of life. The views of the trustees in respect to a moderate increase of the present accommodations, so as to admit of a larger number of pupils, and meet to some extent, the wants of this unfortunate class of inhabitants, seem so just and reasonable, and are so strongly enforced by the necessities of the case, and the sympathies of our nature, that there can be no hesitation in carrying them into effect. A State by whose enlightened liberality the blind are educated for usefulness, and the insane provided with the best means of recovery, will not have completed the circle of its duties, until it has also made ample provision for reclaiming from darkness and desolation, those afflicted beings whose minds are closed against the light of knowledge and the sense of duty. It appears from the census of 1850, that the number of idiots in the State is equal to that of the insane.

The number of pupils now in the New-York Institution for the instruction of the Deaf and Dumb, is two hundred and fifty-nine; of this number, one hundred and eighty-five are supported by the State. At the last session of the Legislature, the number of pupils thus supported, was increased thirty-two, adding one from each Senate district; making the whole number of State beneficiaries, one hundred and ninety-two. This institution continues to improve its system of instruction, to increase the value of its results, and to gain in the estimation of the public.

The institution for the blind, is successfully conducted. There are one hundred and fifty-three blind persons in the establishment; forty-two are employed in the workshops. The introduction of new trades has been attended with great advantage to the inmates. The imposition of heavy assessments for grading the streets around the buildings of the institution, will require increased pecuniary aid from the Legislature.

I have the following statement from the Commissioners of Emigration:

"Whole number of aliens who arrived at the port of New-York since May 5, 1847. 1,336,960

TR

No.

No. arrived during this year up to Dec. 15th,.....	295,272
“ of persons admitted to Immigrant Refuge Hospital, Ward’s Island, during the year, about.....	15,000
“ of persons admitted to Marine hospital, Staten Island,	8,511
“ of persons relieved in the various counties in the State and chargeable upon Commutation Fund, about	13,138
“ of persons lodged and relieved temporarily in the city,	18,394
“ of persons for whom employment was found in the city, various parts of the State, and in other States, from the office in this city under the charge of Commissioners,	14,612
“ of persons forwarded to various places at expense of Commissioners,	4,962
“ of persons for whom special bonds have been de- manded during the year, under the amended act of July, 1851, about	1,000”

The Commissioners state that six years’ experience has shown that the commutation of \$1.50 for each person, is sufficient to provide for the support and relief of the sick and helpless emigrant, but not enough to cover the expenses of procuring buildings for their reception. Since May, 1847, the State has been relieved from all expense of both sick and destitute from abroad. Large numbers of emigrants have been aided in getting employment here, or in going to other States where their labor was in greater demand. The Commission is indebted \$170,000 for land and the erection of buildings.

The Commissioners recommend the addition of fifty cents to each commutation tax. This small increase will enable them to meet the expenses of their humane labors, and gradually to extinguish their debt.

On the 30th of September, the public funds devoted to education amounted to the following sums:

The Common School Fund,	\$2,354,530 09
United States Deposit Fund,	4,014,520 71
Literature Fund,	272,880 12
	<hr/>
	\$6,641,930 92

These funds are securely and productively invested. In 1851, there were 11,537 school districts in the State.

The return for the years 1850 and 1851 show the condition and progress of our common school system.

The number of pupils attending the district schools was, in

	1850.	1851.
The number attending private schools, was,	726,281	862,507
	43,510	31,767

The number of schools for colored children was,	105	
The number of pupils attending them, was....	5,305	4,416
	1850.	1851.
Pupils instructed in the district schools during the whole year,....	7,037	8,765
Pupils instructed 10 months and less than 12,	43,306	39,059
8 months and less than 10,	59,962	68,742
6 months and less than 8,	110,981	125,745
4 months and less than 6,	170,005	178,330
2 months and less than 4,	212,578	211,367
less than 2 months,	196,561	200,473
No. of volumes in school district libraries,..	1,507,077	1,570,131
	1850.	1851.
Amount paid for teachers' wages, \$1,350,345 92		\$1,681,316 00
Amount paid for district libraries,	89,104 96	90,579 50
	1850.	1851.
The total amount expended for common schools, was.....	\$1,884,826 16	\$2,249,814 02
Amount paid for building and repairing school houses &c.,	445,164 28	477,918 51

From these statistics it appears that about one quarter of the population of the State, are receiving in our district schools, the education that is to fit them to perform their duties as citizens of our republic. Their characters and success in life will be greatly influenced by the kind of instruction they receive in these schools. We cannot estimate their importance too highly. They will exert a vast, perhaps a controlling influence upon the future prosperity of our country. Every consideration of prudence, patriotism and benevolence, demands that our common school system shall be so arranged and supported, that the employment of competent teachers may be secured. This can only be done by giving them just compensation for their services, and by a proper appreciation on the part of the Legislature and the public, of the dignity and value of their labors.

In preparing and training competent teachers for our schools, the State Normal School, and the departments for the education of the common school teachers in the academies, exercise an important influence. These are understood to be in a flourishing condition. The Normal School has more pupils than at any preceding period.

An impression has heretofore prevailed, that our colleges and academies were institutions of learning, distinct from, if not in some degree antagonistic to, our district schools. This idea has been injurious by creating a popular prejudice against the former, while it has injured our common schools, by disconnecting them in public estimation from the pursuit of higher branches of learning. These different classes of schools are intimately connected,

and all serve to give interest, value and dignity, to the cause of education.

Formerly we had but few colleges and academies, and the expense of attending them limited their advantages to a small part of our population. They are now so numerous and so distributed, that they are accessible to all who desire to avail themselves of their advantages. They furnish teachers for our schools, and contribute largely to the general dissemination of the knowledge which enables our citizens of every age and condition in life, to become intelligent and successful in their respective pursuits. Science and learning are no longer elaborated for the benefit of a favored class; all valuable or interesting discoveries, are at once made public by the aid of schools, popular lectures, and the press.

The discovery of the scientific professor in an institution of learning, immediately becomes a part of the popular intelligence, and its advantages are universally diffused to aid the pursuits or increase the knowledge of our citizens. Enlightened policy and the interests of our common schools, demand the extension of a fair degree of legislative aid and encouragement to our colleges and academies. I recommend the adoption of some principle, in giving them assistance, which may prevent the practice of special legislation in favor of particular institutions.

Numerous memorials have been presented to the Legislature for the establishment of schools or colleges for the promotion of agricultural, mechanical and natural science. I commend them to your favorable consideration.

In a memorial presented to the Legislature, it is urged that "we have no institution of learning which is at once fully adapted to the present condition of science, and to the peculiar wants and character of our country. In this age, and in this country, where, more than in any other, the discovery of new truth in pure science is hardly announced before it is followed by its practical application; where the most abstract principles, and the most subtle elements of nature are immediately seized upon and applied to the commonest purposes of life; it is a matter of interest to all, and to none more than those engaged in agricultural and manufacturing employments, that we should have an institution where all the leading branches of science, in their highest and best estate, shall be represented by the ablest men in each department; and where instruction, in any and every branch, should be readily and cheaply afforded to the utmost extent that the knowledge of the day will admit." Such an institution would be very different, in its organization and objects, from any existing academy or college, and would in no degree supercede or conflict with them.

On the contrary, the project is advocated by many of their officers and professors. It would not be restricted to the education of youth, but would be resorted to by persons of different ages and

conditions, for the purpose of obtaining such information as would be particularly useful to them in their several pursuits.

The anxiety manifested for the establishment of agricultural and mechanical colleges, adapted to the wants of our citizens engaged in those pursuits, shows the importance which is now attached to more thorough and perfect education. The inventive character of our people renders a knowledge of the sciences particularly valuable to them, while their elevation and improvement, intellectually and morally, becomes a political necessity, under our system of government. Some of the mechanics of our State have adopted measures for the establishment of a college particularly designed for instruction in the practical sciences, upon principles which promise, by combining instruction with labor, to place its advantages within the reach of all who desire to embrace them. An application will be made to you for a charter for an institution of this character, which will be entitled to your favorable consideration.

The Houses of Refuge at New-York and Rochester, for the reformation of juvenile delinquents, are among our most interesting and valuable institutions. They have engaged the attention and received the care of enlightened and philanthropic individuals, who have properly appreciated the duty and importance of rescuing youthful offenders, from lives of degradation, misery and crime, and of making them virtuous and useful citizens. Every consideration of benevolence, as well as due regard for the safety of community and the prevention of crime, demand that these institutions should be liberally sustained. They will be obliged to apply to you for pecuniary aid and some legislative enactments. The high standing of their managers, and the motives that have induced them to assume the duties of their position, give assurance that any applications they may make to you, will be founded on a conviction of their propriety and necessity.

The number of convicts in the prisons of the State, are as follows:

At Sing Sing,	869
At Auburn,	759
In Clinton county,	155

Total, 1,783

This is an increase of sixty-nine above the returns of last year. The number of female convicts is about eighty.

The expense of maintaining the prisoners beyond the amount of their earnings, with the cost of indispensable improvements, will make the following appropriations necessary:

For the prison at Auburn,	\$14,000
Sing Sing,	7,000
in Clinton county,	27,000

\$48,000

The officers are confident that after the contemplated improvements are paid for, these establishments will sustain themselves. A detailed statement of the expenses and condition of these prisons will be given to you in the annual report of the inspectors.

Great interest is felt by a large class of our mechanics in the success of the Clinton Prison. The character of the labor of the convicts at that place, conflicts less with the interests of some of our citizens, than the employments pursued in the other prisons. This establishment has heretofore been quite expensive to the State, and has been regarded as an unsuccessful experiment. The prisoners have been engaged in digging, separating and preparing iron ores for the use of the neighboring furnaces. The depressed state of iron manufactures has lessened the demand for the ore, and the prices at which it is sold. The original plan of the prison contemplated the erection of the necessary works for making iron, and manufacturing it into some of its ruder forms. The Legislature, at its last session, made an appropriation for furnaces for smelting and manufacturing iron. These are not yet completed, but they will soon be finished at a cost not exceeding the amount appropriated.

The inspector in charge of the prison is confident that when the establishment is completed according to its original design, it will give a revenue to the State beyond the cost of maintaining it.

I refer you to the last annual message of my predecessor, for his valuable suggestions respecting our prisons, the terms of imprisonment, and the review, by our Supreme Court, of the testimony and proceedings in cases of capital conviction. The prisons, penitentiaries, jails, and houses of refuge in this State, contain thousands of misguided and criminal persons, whose due punishment for their offences, and whose improvement in morals and intelligence are matters of great interest and importance.

An accurate survey of our State and the establishment of permanent monuments, which will serve for the determination of magnetic variations, is very desirable for the purposes of science and for the prevention of litigation and other evils and embarrassments. Without these, it will become impossible to determine with accuracy the boundaries of farms, towns and counties, or to make topographical surveys of the whole or any parts of our State.

The value of land is becoming so great that more accuracy will be required hereafter in ascertaining true limits. Our present inaccurate system of surveying, causes frequent controversies and embarrassments, and we are destitute of any fixed monuments which will give certainty and permanency to boundaries and admeasurements. The subject should engage the early attention of the State government.

The agitations in relation to manorial titles in some sections of our State, have excited great interest among all classes of our citizens, and have been subjects of executive recommendation, and of legislative action. So far as they originated in a desire to determine the validity of titles, or equitably to extinguish tenures

that had proved injurious to the communities in which they existed, they secured the sympathy of the citizens of this State. But violations of law, in some instances causing the destruction of life and property, have excited a deep feeling against the perpetrators of such acts, which has been extended to many whose purposes were unobjectionable, and who regarded resistance to the laws of the State as alike injurious to their own interests, and to the principles of good government.

For the purpose of inducing the owners of large tracts of land to sell them to the occupants, and thus to obviate the evils attendant upon lease-hold estates, the Legislature has abolished distress for rent, and taxed the interest of land owners in leases. To prevent the recurrence of the evils experienced, the Constitution of the State forbids the leasing of agricultural lands for a term extending beyond twelve years. The quarter sales reserved by some leases have been decided by our courts to be restraints upon alienation, and therefore void.

The suits which were instituted by the State for the purpose of determining the validity of certain titles, have been decided in favor of the landlords, except in one instance, where the State recovered some vacant lands. In this case the court held that the lapse of time gave title to the landlord, to the lands which were occupied by tenants, and which comprise the principal and most valuable portion of the manor. The landlord has carried the cause to the Court of Appeals.

It appears from the message of Gov. Young, at whose suggestion the suits were brought by the State, that they were instituted because "one of the fruitful sources of disquietude among the tenants, is the apprehension that the landlords have no title to the lands, and that, after paying rents and making improvements for a long series of years, they may, in virtue of a superior title to that under which they hold, be ejected from their possessions."

When the purposes for which the suits are brought are effected, the continuance of litigation serves only to create agitation, to excite unfounded expectations and prevent adjustments between landlords and tenants, which are desirable in every respect.

Many arrangements have already been made between these parties, and the prosperous condition of the country, the abundance of money, and the high prices now commanded by the productions of the soil, are circumstances favorable to the tenants in securing the full ownership of their farms. It is understood that the prices originally asked by the land-holders, have been, in many instances, very much reduced. The decision of the courts having established the validity of their titles and their legal rights, it is believed that the land owners will recognize the importance of selling their lands upon favorable terms and of extinguishing tenures injurious to the interests of the community and inconsistent with our political institutions. If any action is

had by the Legislature upon the subject, it should not be of a character to excite unfounded expectations and in the end injure those it is apparently designed to serve. When the titles of the landlords are established, any assistance given to the tenants must be at the expense of the State, and not of the legal rights of any of its citizens.

The changes in legal procedure contemplated by the Constitution (Art. 6, sec. 24,) have not been carried into complete effect. The commissioners appointed for that purpose, reported from time to time under the direction of the legislature. Their first report adopted in 1848, has been modified and amended by succeeding Legislatures, and has become the settled system of the State. The legal remedies by various special proceedings which occupy a considerable share of the attention of the courts were not included in the reports adopted; these are still administered under laws as they existed before the adoption of the present Constitution. The final report of the commissioners presented to the Legislature January 1, 1850, among other subjects, embraces these proceedings and a revision of these laws.

With no practical knowledge of the details of the reforms already enacted, and those proposed in the reports referred to, I am unable to express an opinion of their merits. But regarding the existing code of practice, as the established system by which remedial justice is to be hereafter administered, it seems due to consistency that such further legislation should take place as is necessary to provide that civil remedies, both by special proceedings, and by civil actions, should be prosecuted under a general method of procedure.

A considerable part of the jurisdiction of the courts, is exercised under statutes conferring powers upon the Chancellor and various officers of his court, and upon courts of common pleas which have been abolished by the new Constitution. The Legislature has passed various laws to render the proceedings applicable to the courts as they now exist; but a revision and a more perfect adaptation of them to our present judicial system is desirable.

The enrolled militia of the State of New-York numbers 289,306 men. Many uniformed companies, not only well equipped, but well drilled and disciplined, have been formed in our State. These companies are composed of intelligent and active men, who are interested in preserving the peace and good order of society. Without subjecting the State government to any expense, they constitute an important part of the executive power of the State. They number about 15,000 men, 5,800 of whom are in the city of New-York. These companies are usually formed in large towns and cities, where popular disturbances and resistance to law are most likely to occur.

They serve to overawe turbulent or disorderly members of society, and constitute a powerful body, prepared at all times to aid the civil authorities. Their vigor, intelligence, and the interest they

have, as respectable citizens, in upholding the law, together with the degree of discipline they have attained, render them efficient and reliable in all emergencies.

The enlightened and liberal spirit of the age, no less than the interests of commerce, demands the establishment of a system of reciprocal trade with the adjoining British provinces. Their vast extent of coterminous boundary, the character of their productions, and the nature of their wants; their use of a common language with ourselves, and the similarity of habits and customs, render a free and unrestricted intercourse and commerce with their population, of great interest and importance. Our own State is particularly interested in the adoption, by the general government, of some measures calculated to effect this desirable result. It would increase the business of our canals, add to the prosperity of the towns in the northern and western sections of our State, and increase the commercial importance of the city of New-York.

The striking success of American industry and skill at the London Exhibition and in the British waters, during the year 1851, naturally aroused a desire for the organization in this country of an Industrial Exhibition analogous to that which has conferred so much honor on England. The limitations of the powers of our National and State governments, prevented their more direct action, but a charter was granted by the Legislature at the session of 1852, forming an association designed to accomplish this enterprise. With the favor of the General Administration, and the active aid of the city of New-York, the Association is pursuing its task with energy, its managers appearing fully sensible of the high expectations excited by their undertaking. While the producers of Europe will avail themselves of so favorable an opportunity to bring their fabrics to the notice of the consumers of this country, the collection, on a national scale, of the products of American industry, must of itself, secure a result of such interest and practical value, as fully to repay the great labor which the work requires. The building, designed to receive the exhibition, now partly erected, promises to unite convenience and ample space with a high and novel character of architectural beauty; and may, if the success of the enterprise shall warrant its preservation, remain for similar uses through future years.

The number of banks, banking associations, and individual bankers doing business in this State, on the first days of December, 1851, and 1852, were as follows:

	1851	1852
Chartered banks,.....	72	70
Banking associations,.....	95	118
Individual bankers,.....	77	89
	<hr/>	<hr/>
	244	277
	<hr/>	<hr/>

The bills issued by the Banking Department to the free banks amount to \$19,159,056, being an addition to the amount held by them on the 1st December, 1851, of \$3,488,052, and an increase of \$7,978,381, within three years. The free banks have, within the same time about doubled in number.

The actual circulation of all the banks, as shown by their quarterly reports, in September, 1851, amounted to \$27,254,458
1st December, 1852, to..... 38,790,985

The Superintendent of the Banking Department, in his annual report, will call the attention of the Legislature to the fact that many of the free banks are established merely to get bills for circulation. They evade the provisions of the laws requiring them to do business at some designated place, and circulate their notes through brokers in the commercial cities. They frequently allow their notes to be discredited for the purpose of buying them at large discounts, thereby subjecting the bill holders to loss. The multiplication of banks of this description is attended with numerous evils, and, in times of pressure in the money market, will cause great embarrassments. Further legislative restraints are necessary to save the public from frauds and losses. In some instances, bills have been obtained upon insufficient security by fraudulent representations.

I have been furnished with the following abstract of some of the statistics of the railroads of the State of New-York, taken from the returns made to the State Engineer, for the year ending September 30, 1852.

Twenty-seven corporations only have made returns. Three other corporations, which made returns last year, have not yet filed the annual reports required by law.

There have been filed in the office of the Secretary of State, articles of association for forty-one additional railroad corporations. Several of these roads are known to have been completed, and upon others large expenditures have been made. The railroad corporations are by law required to file their annual reports with the State Engineer by the 1st day of December. None of them have complied with this provision, and the late date at which many of them were sent in, delays the State Engineer, and prevents him from complying with section 103 of the general railroad law, which requires him to arrange the information in a tabular form, and to report to the Legislature on the first day of its session.

The number of miles of road in use on the 27 railroads reported, is, 1,797 miles.

And adding the lengths of three roads not reported,
as given last year, makes, 2,027 do

This is an increase in the number of miles in use,
over the number reported last year, of 297 do

The total cost of the 27 roads reported up to 30th Sept. 1852,
is \$82,812,160.63.

The total expenditure on all of the roads constructed and commenced in this State, is probably about one hundred millions of dollars.

The number of passengers carried in cars on twenty-one roads reported, is 7,061,909. And the number of miles travelled by the passengers is 332,847,667. The increase on 18 roads, over the preceding year, was, of passengers, 1,487,087, and of miles travelled, 92,858,860. The number of tons of freight carried over 21 roads reported, is, 2,060,379. The increase over the preceding year on 17 of these roads, is, 821,101 tons.

The number of persons injured in life or limb on 26 roads reported, is 256; of whom were killed, 158. The increase over the preceding year, on 25 of these roads, is, of persons killed, 59, and of persons injured, 44.

These railroads traverse almost every county in the State. There are no sections of its territory which have not now cheap and convenient avenues to market, by means of lakes, rivers, canals, and railroads. The recent extension of the last named improvement, will rapidly increase the wealth and population of the State.

The Constitution of this State, which was adopted by a great majority of the popular vote, establishes a well defined and comprehensive financial system, designed to pay off the debt created for the purposes of internal improvements, and provide for the completion of our unfinished canals; and also to pay the General Fund debt of the State, and provide for the support of its government. To prevent the recurrence of the evils of indebtedness, it forbids the creation of any debt beyond one million of dollars, except to repel invasion, suppress insurrection, or defend the State in war; unless authorised on a direct appeal to the popular will, in the manner directed by the Constitution. These important provisions have recently been topics of earnest discussion, in popular assemblages, in the halls of the Legislature, and before the judicial tribunals.

The finances of the State, and the condition of the public works, are at this time subjects of great interest; I therefore deem it my duty to recur to the reasons which led to the adoption of the financial provisions of the Constitution, to give my views of the condition of our public works, and to make such recommendations with regard to them as I think best calculated to effect their completion, and make them the channels of commerce between the great and productive regions of the West, and the markets of the East. The Constitutional Convention caused statements to be prepared showing the financial condition of the State; and ascertained that the debts contracted for the canals, amounted to \$17,516,119.57, and that a large additional sum was required to complete them; that the debt incurred for other purposes, was \$5,885,549.24, and that the revenues of the State were insufficient to pay the expenses of the government, so that this debt was constantly increasing.

Of the general debt of the State \$3,000,000, had been incurred for the benefit of the New-York and Erie railroad.

To extinguish the canal debt the 1st section of the 7th article of the Constitution directs, that after paying the expenses of repairs, &c., there shall be set apart from the revenues of the canals, in each fiscal year, \$1,300,000, until the first of June 1855, and, from that time, the sum of \$1,700,000, in each fiscal year, as a sinking fund to pay the interest and redeem the principal of the canal debt, as it existed on the first day of June, 1846.

To pay the General Fund debt of the State, the 2nd section of the 7th article provides, that in each fiscal year, after complying with the 1st section, there shall be set apart from the canal revenues, the sum of \$350,000, as a sinking fund to pay the interest and redeem the principal of that debt. After the canal debt is paid, the sum to be set apart for the payment of the General Fund debt, in each fiscal year, is to be increased to \$1,500,000.

To aid in paying the expenses of Government, the third section of the seventh article directs, that there shall be paid out of the surplus revenues of the canals, for that purpose, a sum not exceeding \$200,000, in each year, after complying with the provisions of the first and second sections.

To secure the completion of our unfinished public works, it requires that the remainder of the surplus revenues of the canals shall, in each fiscal year, be applied to the Erie canal enlargement, and the Genesee Valley and Black River canals, until they are completed.

When the purposes of the Constitution shall be accomplished, according to these arrangements, the Erie canal enlargement and the Black River and Genesee Valley canals, will be completed, the State of New-York will be free from debt, and will own 858 miles of canals, yielding large revenues, which will be unincumbered with debt, or interest, or sinking fund accounts. We can then make such reductions of the taxes on the transportation of the products of the country to market, as may be necessary to increase their sale, to secure the commerce of the Western States, and give to our citizens the profits of a vast carrying trade.

The mistaken idea is entertained by many, that the spirit of our Constitution is hostile to our public improvements. The members of the Constitutional Convention, acted upon the belief that a sound system of finance was essential to the successful management and completion of the canals; that the improvident creation of debt, not only embarrassed the finances of the State, but also delayed the completion of the unfinished public works. The history of our canals gives abundant proofs of the truth of these propositions.

Before the year 1835, the State of New-York had built 656 miles of canal, connecting the Hudson river with the Erie, Ontario, Cayuga, Seneca and Crooked lakes; and with the valleys of the Chemung and Susquehanna rivers. This great system of in-

ternal improvements cost only \$11,652,652.96. Its first and greatest enterprise, the Erie canal, was commenced in 1817. It traversed a vast extent of dense forests and pestilential swamps. Great numbers of laborers were disabled or destroyed by the diseases incident to uncultivated low grounds; the contractors, without the facilities now enjoyed, in many instances without the convenience afforded by common roads, were obliged to overcome the numerous obstacles with which they had to contend, unaided by experience. Yet this great work, 364 miles in length, connecting Lake Erie with the Hudson river, cost only \$7,143,-789.86.

In 1835, the successful and rapid completion of the public works, and the extinguishment of the principal part of the debt created for their construction, was a just cause for pride and congratulation. Since that time there has been expended on our canals \$25,245,000, besides \$9,477,000 paid for interest; yet the enlargement is not completed, nor any new canals finished. Our finances are embarrassed, and our resources diminished, until we are threatened with an increase of direct taxation. I do not deem any apology necessary for giving in detail my views of the causes which have produced these disastrous results.

I have heretofore had occasion to examine this subject, as a member of the Legislature, and chairman of the committee on canals. At that time, as on the present occasion, I consulted those engaged in building or navigating our canals, for the purpose of obtaining correct information respecting their history, interests and condition. I have been compelled to the conclusion that the practice of borrowing and expending large sums of money within short periods of time, has been at once ruinous to them, and injurious to the public interests. The effective application of money previous to 1835, extended through a period of about eighteen years. The average amount borrowed or expended within each year, was less than \$1,000,000. Speculative excitements were not then created by profuse expenditures; extravagant plans were not engendered by placing great amounts at the disposal of disbursing agents; localities were not stimulated to press for ornamental or questionable improvements. Limited annual appropriations induced all to desire such application of the money as would most promote the great object of increased facilities for transportation. When it was decided in 1835, to enlarge the Erie canal, it was proposed to accomplish the work by the application of the surplus tolls, without resorting to loans. There has been collected from taxation upon the transportation of property upon our canals, since that time, the sum of \$41,227,000, the expenses of keeping them in repair amount to \$11,459,000. The balance might have been applied to the completion of our public works if we had created no debts involving charges for interest and Sinking Fund accounts; it is believed that the balance of \$29,768,000, if it had been applied as it accrued from the rev-

enues, would have finished the works; the estimate of their cost was \$30,734,000. Unfortunately, the prudent system of expending only our surplus tolls, was abandoned. The policy of borrowing is always adopted when money is abundant; when a speculative feeling pervades the community; when extravagant plans are popular, when materials and labor are high; and when the application of money produces the least effect. This state of affairs prevailed to an unexampled extent in the years 1837-8-9 and 1840, when under its influence and during that time, the State borrowed more than sixteen millions for canal purposes, and incurred obligations in addition, that swelled the sum of liabilities to \$20,713,905.58, and created the heavy interest account that has absorbed so much of our revenues.

The expenditure of these great amounts increased the speculative spirit of the times, and caused the adoption of uselessly expensive structures on the lines of the canals. The cost of doing the work was swelled still more, by putting large amounts under contract at one time. The expense of structures was much greater than it would have been under other circumstances. The regularity of the pursuits of the industrial classes was disturbed; great numbers of laborers were drawn from all quarters, who, when thrown out of employment by the inability of the State to pay their employers, increased the general distress. The full force of the evils of indebtedness was felt in the autumn of 1841, when the State officers were unable to borrow money to pay the contractors. The work on the canals was not suspended by a mere legislative act. The stocks of the State could not be sold at par, for some months before the Legislature of 1842 convened and passed the law to restore the credit of the State, and enable it to pay the debts due to its citizens.

In some instances the contractors were compelled to take the stocks of the State at par, and sell them in market at a loss of ten or fifteen per cent. The distress caused by the loss of public credit, was not confined to the public creditors. Their embarrassments involved others in their misfortunes. The laborers, who, relying on the ability of the State to keep its engagements, had built their humble cabins on the lines of our canals, were left in a condition of destitution and suffering. The act of 1842 was passed to restore the credit of the State, and enable it to pay its debts and relieve the public creditors. It was a bold and honest effort to stem the tide of repudiation that threatened to sweep away the character for integrity and honor of many of the States of the Union.

It cannot be said our condition in 1842 was owing to the financial embarrassments of the time. If the State had not involved itself in debt, it would have been beyond the reach of pecuniary revulsions. Instead of increasing the distresses of the farmers, mechanics and merchants, by borrowing the money they needed, it would have afforded them relief by the annual expenditure of

its surplus canal revenues, thus giving employment to labor, and creating a demand for the productions of the soil. But the State fell from its proper position, and in the place of giving aid to its citizens, it became a competing borrower in the money market.

In consequence of the absorption of its revenues by sinking funds and interest accounts, it was unable to avail itself of the low prices which prevailed from 1842 to 1847. The annual expenditure of the surplus revenues we should have had in those years, if we had borrowed no money, would have been of great advantage to our unfinished works, while it would have given seasonable relief to our citizens.

It is desirable to have contracts on the public improvements taken by men whose skill and experience enable them to perform the work upon terms favorable to the State, and yet profitable to themselves. When large amounts are borrowed and expended within short periods of time, inexperienced persons are induced to leave their proper pursuits and apply for contracts. It is evident that such persons must be paid high prices or be compelled to apply to the Legislature for relief. This has been a source of loss to the State, and of great evil in legislation.

The system of borrowing affects injuriously the public interests in other respects. More than \$40,000,000 have been paid to the State for tolls, in addition to the cost of transportation, by those using our canals, since 1835. This enormous weight of taxation has borne heavily upon the producing classes and business interests of the country. If the State had created no debt for canal or other purposes, since 1835, we could now, or in a few years, relieve the canal commerce from any taxation beyond the amount necessary to keep them in repair, and make such contributions towards the support of Government as might be deemed advisable. The aggregate of these surplus revenues would amount, in 1855, to more than thirty-eight millions of dollars, a sum sufficient to have completed the Erie Canal Enlargement, the Genesee Valley and Black River Canals, and to have paid the balance of canal indebtedness due in 1835.

The toll upon the transportation of a barrel of flour from Buffalo to Albany, at the present reduced rates, is about twenty-three cents. If we were not burdened with debt, eight cents would be its proportionate amount of tax for keeping the canal in repair, and contributing an ample yearly sum towards the support of government. The saving of expense of transportation, by the completion of the enlargement, would have been ten cents more, making a diminution of twenty-five cents in the expense of conveying this important article of food and commerce to the city of New-York.

It is deemed a matter of great national interest to be able to export freely the productions of the soil; the continuance of taxation, which should have been avoided, will frequently prevent the shipment of provisions, deprive the farmer of a market,

and the merchant and ship owner of an important trade and transportation.

If a tax of twenty-five cents should be imposed by legislation on each barrel of flour consumed in our eastern cities, or exported from New-York, such an act of injustice, mischief and folly would be justly denounced by the laborer, merchant and farmer. To prevent such injurious legislation, the Constitution of the United States provides that "no tax or duty shall be laid on articles exported from any State." Our unfortunate canal debt, as it practically imposes such a tax, does inflict this injury upon us in addition to the derangement it has occasioned in our finances, and the delay it has caused in the completion of our canals. The tax which it imposes upon the wood, lumber, and other coarse productions of our State is still more onerous. If from the toll now imposed upon these articles, there is deducted enough to keep the canals in repair, and to aid in supporting the State government, it will be found that if we had borrowed no money and had finished the canals by our surplus revenues, the toll on a thousand feet of pine lumber from Dansville to Albany, on the Genesee Valley canal, could be reduced one dollar; that a reduction could be made of 33 cents on each thousand feet of green hemlock, and of 67 cents on each thousand feet of green spruce, and of 18 cents on each cord of wood carried to market from the head of the Black river feeder. Investigation will show that the canal debt has materially diminished the value of real estate in many localities.

The amount of business upon the canals is not governed by the amount of the productions and supplies of the west, for they are inexhaustible; but by the demand for them in the markets of the eastern cities, or of the commercial world. The extent of our market, and the distances to which we can export our productions, depend upon their cost in New-York. We cannot foresee how far the unfortunate policy we have pursued will deprive us of the advantages of foreign markets; but it will without doubt affect seriously the exportation of provisions.

The object of the Constitution is to prevent a recurrence of the evils we have experienced, to provide for the extinguishment of our debts, and for a judicious prosecution of our public works.

Since the adoption of the Constitution, there has been expended upon the public works \$6,715,000; the surplus tolls applicable to the purpose, amounted, in 1851, to \$964,432. In 1851, the Legislature passed a law to raise nine millions of dollars for the purpose of completing, at once, the unfinished public works; and at the same session relieved certain railroads from the payment of tolls levied to protect the canal revenues. It was objected to the law of 1851 that it violated the letter and spirit of the Constitution, and would produce the evils which it was designed to prevent; that if the law was Constitutional, it would injure our canal system by burthening it with the payment of the

principal and interest of the sum borrowed, rendering continued taxation upon its commerce necessary; that the expense of the work would be increased by putting so much under contract at one time; that prices were high and the money market inflated, and would become more so, under the influence of the law, as it permitted the certificates for the money borrowed to be made the basis for banking, thus converting the indebtedness of our canals into bank bills for circulation; that if the avails of the certificates should not be equal to the amount of the contracts made under the law, while the indebtedness would be increased, no resources would be left for the completion of the works, as the bill proposed "to sell all surplus revenues" applicable to that purpose, for the repayment of the nine millions raised under its provisions.

Unfortunately the Legislature rejected a proposed amendment, providing that the constitutionality of the law should be determined before any contracts should be made, or money borrowed. Canal certificates for \$1,500,000 were sold in August and December, 1851, at a premium of less than one per cent, while the stock of the State, of known constitutionality, bearing the same interest, commanded a premium, ranging from 9 to 16 per cent. The contracts were let; it has been supposed that they only amounted to \$8,029,727.45, but this is upon the assumption that all the excavation on the enlargement would be of the easiest kind, and of the description which was to have been done at the lowest prices under the contracts. No allowance was made for the fact, that by the terms of these contracts, much higher prices were to have been paid for the quicksand or hardpan that might be excavated in the performance of the work. It is difficult to estimate what amount would have been required, if the law had been declared constitutional; the aggregate is variously estimated by different engineers at from ten to thirteen millions of dollars. For the payment of the expense of the work beyond the amount to be raised by the law of 1851, there was no resource left, as the surplus tolls were all disposed of, until the \$9,000,000 were paid; and the works would have stopped, or resort must have been had to taxation upon the people.

The law was declared unconstitutional by the highest judicial tribunal of our State. Justice requires that the money received on the sale of the certificates should be refunded, and that the State should pay for the work done under the contracts. The amount required for this purpose, must be raised by a tax, or by submitting to the people a law authorizing a debt, and providing for the payment of the interest and principal by a tax, according to the provisions of the Constitution.

Although the law has been pronounced unconstitutional, the legislation of 1851 has seriously affected the resources of our canals.

For the fiscal year ending September 30th, 1851, the surplus amounted to \$964,432; for the fiscal year ending September 30,

1852, they are less than \$300,000, a sum insufficient to have paid the interest on the proposed debt of nine millions. When tolls were taken off the lateral railroads, the canal revenues were not only deprived of a contribution from that source, but the roads became more formidable competitors, and rendered necessary a reduction of canal tolls.

The honor and the interest, of the State of New-York, require the completion of the Erie canal enlargement, and the Genesee Valley and Black River canals. These enterprises have lost none of their importance. Their completion is demanded as soon as is consistent with a judicious and economical application of money. The amount needed to finish the Black River canal, and improvement, is \$248,784; to complete the remaining thirty miles of the Genesee Valley canal, is \$389,000. Upon the Erie canal, the locks, aqueducts and other structures, which determine the future size of the enlargement, are mostly completed. The work which remains, is principally the adaptation of the channel to the size of these structures.

The Canal Board have directed the old locks between Port Byron and Rochester, to be lengthened and widened, and contracts have been made to have the work done during the suspension of navigation, so that they may be brought into use by the first of June. When this is accomplished, a boat of the dimensions adapted to the enlarged canal, can pass from Lake Erie to the Hudson river. When the new locks upon the Oswego canal are finished, the same class of boats can also be used upon that route. The impression prevails, that the work which has been done upon the enlargement, is useless until the entire enterprise is completed, and this is frequently urged as a reason for making a debt to complete it at once. This is not so. The improvements already made have doubled the capacity of the canal. When it was first built, the boats used, carried, on an average, less than forty tons.

The average tonnage of the boats built in 1844, was 64 tons.

do	do	1845,	"	67	"
do	do	1846,	"	73	"
do	do	1847,	"	76	"
do	do	1848,	"	74	"
do	do	1849,	"	76	"
do	do	1850,	"	80	"
do	do	1851,	"	87	"
do	do	1852,	"	90	"

The application of surplus revenues, and some small appropriations made before the adoption of the Constitution, have increased the capacity of the canal nearly one-half since 1844; and when the locks are lengthened it can be navigated through its entire length by boats of the largest contemplated size, carrying one hundred and twenty tons. Boats of this size are now used between Rome and Albany, and between Buffalo and Roch-

ester. It appears from examinations made by the State Engineer, that with an expenditure of about \$400,000 in addition to the work under contract, the water can be deepened so that the new boats can carry one hundred and fifty tons, or four times the original tonnage. Only \$200,000 of this amount will be expended for purposes that are temporary, or that will not advance the enlargement. The work under contract for enlarging the locks, will make this improvement of the channel indispensable. Without it, the wedging of boats will prove a serious difficulty.

If one million of dollars can be expended, annually, upon the unfinished public works, the lateral canals will soon be finished, the enlargement constantly improved from year to year, and the boats hereafter built can soon carry their full loads of two hundred and forty tons. This increase of tonnage will not require any increase in the dimensions of those built after this year, as they will be of the full size required for the enlarged canals. It will be gained by allowing them to draw more water. Every increase of six inches to the draft, will add about twenty-five tons to their loads. To gain this increased tonnage, from year to year, it is not necessary to make repeated improvements, of the whole channel of the canal; it can be obtained by finishing the enlargement at the obstructed points, and by procuring an abundant supply of water at places where the want of it occasions difficulty.

Of the enlargement, about 150 miles are completed. The capacity of the remaining 214 miles, is very unequal on different sections. On some portions of the old canal, the boats adapted to the enlargement can be conveniently used, while in others, the smaller ones, when loaded, are delayed by want of water or by narrow channels. The points of least capacity on the canal, which may be very short in extent, limit the size and tonnage of the boats navigating its entire length. Removing the obstructions at such points, will practically increase the capacity of the whole canal. The judicious application of expenditures to the most needed improvements, will rapidly increase the amount carried by the enlarged boats.

The western end of the canal is supplied with water from Lake Erie to the Seneca river, a distance of 159 miles. It is difficult to keep up a supply for the locks at the eastern end of the line, through a narrow and obstructed canal, and the State has been frequently compelled to take water from the Genesee river and other streams, to the great detriment of the manufacturing establishments dependent upon them. The introduction of enlarged boats will diminish the evil, as they will lessen the number of lockages, and the amount of water drawn off by each lockage. The early enlargement of the canal at different points between Buffalo and Rochester, will entirely obviate the difficulty, and improve navigation, by allowing an abundant flow of water from Lake Erie.

It is very important to allow the enlarged boats to be introduced at this time, for other reasons, although their whole capacity cannot be used immediately. There will soon be a deficiency of boats, unless the number built in each year shall equal the number destroyed by time and use. This will be very injurious to the commerce of the canals. The forwarders and boatmen are anxious to build their boats of full size, that they may not lose their investments in this kind of property. These vessels will not be able to carry over one hundred and twenty tons at first, yet they will meet the increased demands of commerce, while the quantity they can carry will not give them such advantages as to destroy the value of the present class of boats. These can be run with profit, until they are worn out or placed upon the lateral canals. Many of the smaller boats can be lengthened, and all will be able to make their trips in less time than heretofore. The number now navigating the canals is computed to be about 4,000, and their value about \$3,000,000. They constitute the means of support to their owners, many of whom have invested all their property in them. Any sudden change destroying the property of a meritorious class of citizens should be avoided.

I have deemed it my duty to give detailed statements on this subject, to correct the impression that we can derive no advantages from the expenditures on the enlargement until it is completed; to show that we are now benefited by the improvements made; that we can render them still more available from year to year, by the judicious application of moderate sums; that we can have "an enlarging canal until it becomes the enlarged canal;" that this annual increase of capacity will meet the increasing demands of commerce; and that all this can be effected without the creation of a large debt, which experience has shown to be prejudicial to our public works.

The purpose of our canal system is to direct the vast commerce of the west into artificial channels traversing our State, and thus secure to us the profits arising from its transportation. Can these artificial channels be made cheap enough to command this internal trade, against the competition of the St. Lawrence and Mississippi rivers, or of the rival artificial routes?

The whole enquiry is resolved into the expense of construction, and economy of management. Sound, honest and intelligent financial management, constitutes our only assurance of success in the undertaking.

Many entertain the opinion that railroads will, in a few years, to a great extent, divert commerce from the canals. I do not concur in these views, but if they should prove to be true, the canals would be of great value in controlling the rates of transportation. They are owned by the people of the State who are always anxious to reduce, to the lowest point, the expense of conveying their productions to market. Railroads are owned by indi-

viduals who are interested in getting large returns from their investments. While the canals are in good order and under judicious management, combinations cannot be successfully formed between corporations to the detriment of the public interests.

To complete our unfinished public works in the manner above proposed, it is necessary to expend about \$1,000,000 annually. If the amount of the surplus tolls could be restored to the point at which they stood in 1851, they would be sufficient for the purpose, but they are less than \$300,000 for the fiscal year ending September 30, 1852, and in the year 1855, an additional charge of \$400,000 will be made upon them for the payment of the canal debt. We have reason to believe the present low rate of tolls and the enlarged capacity of boats will greatly augment them, but we cannot hope that they will give the required amount beyond this additional charge of \$400,000. We cannot raise the rates of tolls, and it may be desirable to reduce them.

The competition between the canal and other channels of commerce, is now very active. An increase of tolls would either drive business from the canal, or compel forwarders and boatmen to reduce their charges which are now low enough. Low tolls not only widen the circle from which we draw business, but they also enlarge the bounds of the markets within which the products of the country are sold. If we would retain commerce upon our canals, we must make them its cheapest avenues. The great difficulty with which we have to contend, is the annual tax of \$2,250,000, caused by our present debt, which will hereafter be levied upon our canal commerce in addition to the expense of keeping the canals in repair. If we can keep down the tolls and the charges for transportation, by the introduction of large boats and an annual increase of their loads, we shall be able to extricate our public works from their present embarrassments.

There is now estimated to be due to contractors and for land damages, &c., for a large portion of which, drafts have been given by the Canal Commissioners on the Auditor, which are unpaid by him for want of funds,..... \$400,000

The amount estimated to be due for work performed under the contracts made on the 30th Dec., 1851, is,, 200,000

The cost of the work recently let between Port Byron and Rochester will be about,..... 100,000

Engineering and miscellaneous expenses,..... 100,000

The cost of the work on the canals necessary to be done within the year, is, 500,000

\$1,300,000

When provision is made for the payment of the \$1,500,000 received on the canal certificates issued under the law of 1851, there will be made available an unexpended balance of.. \$250,000

If the surplus tolls for the fiscal year ending September 30, 1852, are equal to those of last year, they will amount to.....

225,000

475,000

 \$825,000

The reputation and interest of the State require that immediate provision be made for this balance of \$825,000. A large portion of the amount is now due to the creditors of the State, many of whom hold drafts on the Auditor, which have been dishonored for the want of funds. The residue is to make indispensable improvements upon the canals. The only way to procure the money necessary to meet these pressing demands, is to impose a tax, which, with that now levied for the support of the Government, will amount to about one mill on the assessed valuations of 1851.

I deem it of great importance to secure an application of at least one million of dollars, annually, towards the completion of the Genesee Valley Canal, the Black River Canal and improvement, and the enlargement of the channels of the Erie and Oswego Canals. This will, in a short period of time, effect these desirable objects, and relieve the embarrassments on the line of the Erie Canal, arising from an insufficient supply of water and narrow channels, and enable the boats hereafter to be built to carry their full loads of two hundred and forty tons. Many expensive works of mere convenience can be postponed until these essential points are gained. A judicious application of six millions of dollars (a sum nearly equal to the original cost of building the whole Erie Canal) expended in equal annual sums, will effect these great objects.

It is impossible to estimate with any degree of accuracy, the amount of the surplus tolls, during the next six years. To enable the State to make an annual expenditure of one million of dollars on our canals, it will probably be necessary to raise in each year, from some other source, about \$500,000, in addition to the amount of the surplus tolls.

Different modes have been proposed to raise the sums necessary for the prosecution of our public works. The Legislature may, in each year, impose a tax for that purpose; or, it may borrow the money under the provisions of the 12th section of the 7th article of the Constitution, which require that an annual tax shall be imposed, that will pay the interest, and redeem the principal, within eighteen years from the time of the contraction of the debt; or, a proposal to amend the Constitution may be submitted to the people, which, by the terms of that instrument, must be agreed to by a majority of the members elected to each of the two Houses, of two distinct and consecutive Legislatures, and then submitted to the people for their approval and ratification.

Objections exist in the minds of some, to any change of the financial provisions of the Constitution, as they are apprehensive that it may lead to the improvident creation of further debt, or to a postponement of the payment of the existing debt.

If any amendment of the Constitution shall be proposed by the Senate and Assembly, to enable the Legislature to borrow money to complete our canals in the manner suggested, it should conform, in all respects, to the provisions of the Constitution, in relation to the payment of the existing indebtedness, by requiring the creation of a Sinking Fund to pay the interest and redeem the principal of any such debt, within eighteen years from the time of its creation; and, if the surplus tolls should be insufficient for the purpose, that the Legislature shall provide for any deficiency by equitable taxes.

The finances of the State are not in a satisfactory condition. In 1814 the State had a fund applicable to the support of its government amounting to \$4,396,943. This has been spent and a debt created which, on the 1st of June, 1846, amounted to \$5,992,840.82. To extinguish this debt the Constitution provides that the sum of \$350,000 shall be set apart from the canal revenues, as a sinking fund, to pay the interest and redeem the principal of the General Fund debt, including the loans to railroad companies. After the canal debt is paid, the sum of \$1,500,000 is to be set aside in each year for that purpose. It was evidently the intention of the Convention to ascertain and fix the amount of the canal and General Fund debt as it existed on the 1st of June, 1846, and so to arrange the Sinking Funds that their annual application would pay the interest and a portion of the principal of these debts. In 1849 the Legislature made a loan of \$385,000 to pay an alleged indebtedness of the General Fund to the Canal Fund, and added this amount to the principal of the General Fund debt. Other loans were made at the same and the preceding session amounting to \$989,819.34, which were added to the principal of the canal debt. The constitutionality of these loans has been asserted and controverted in official reports. Without inquiring into their propriety, at this time, it is proper for me to state that they prolong, beyond the design of the Convention, the time within which the canal debt can be paid, and make the sum of \$350,000 set apart to pay the interest and redeem the principal of the General Fund debt, inadequate to the payment of the interest. Instead of being diminished, this debt is increasing by accumulation of interest; or, if the excess of interest over the \$350,000 is paid from the general revenue of the State, the means to pay the expenses of government are thereby lessened, and increased direct taxation is made necessary.

The amount borrowed by the State, since the adoption of the Constitution in 1846, exceeds the amount of debt paid by the Sinking Funds.

It appears from the report of the Comptroller, which will be submitted to you, that the expenses of the State Government for the fiscal year ending September 30, 1852, exceeded its revenues about \$200,000.

The report of that officer will show the character of the expenditures and the necessity for their retrenchment. It is believed that many charges upon the treasury can be cut off or diminished. Unless the expenses of the State are curtailed, it must withdraw its benefactions to institutions of learning and asylums for the unfortunate subjects of mental and physical infirmities, or it must increase the amount of taxes imposed for the support of Government.

A strict regard for economy and the mandates of the organic law are of vital importance in republican governments. The Constitution of our State is the barrier created by the people for their own protection against injudicious or injurious legislation. The Constitution of the United States is the bond which holds together the numerous independent States of this confederacy, enabling them "to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to us and our posterity." Under the terms of this compact, the different States of the Union, occupying a territory nearly equal to the whole of Europe, have existed in harmony, notwithstanding great diversity in their condition, pursuits, climate, productions, and domestic institutions. We can perpetuate our Union only by a strict construction of the Constitution of the United States, and by confining the action of Government to those subjects designated in the compact of Union, and which are of common interest and value to all portions of this great confederacy.

The welfare of our State and Nation, will be best promoted by rigid economy in the conduct of their affairs, and by a strict maintenance of Constitutional Law.

HORATIO SEYMOUR.

Albany, January 4, 1853.

Mr. Williams offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That five times the usual number of the Governor's message be printed for the use of the Senate.

Mr. Babcock moved to amend by striking out the words "five times the usual number," and inserting the words "three thousand copies."

After debate, Mr. Williams accepted said amendment.

Mr. Conger moved to amend by inserting "five thousand," in place of "three thousand."

Mr. Pierce moved to amend by adding the following: "provided that the same be delivered by Thursday next."

After debate, Mr. Conger accepted of said amendment of Mr. Pierce.

The President put the question whether the Senate would agree to the said motion of Mr. Conger, as amended, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution, as amended, and it was decided in the affirmative.

On motion of Mr. Jones,

Resolved, That the Senate will meet at eleven o'clock, A. M., until otherwise ordered.

On motion of Mr. Pierce,

Resolved, That the Senate will go into executive session to-morrow at twelve o'clock, M., and on every Tuesday thereafter at the same hour until otherwise ordered.

On motion of Mr. Cooley,

The Senate adjourned until eleven o'clock, A. M., to-morrow.

WEDNESDAY, JAN. 5, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Bennett presented the petition of New Berlin and Brookfield plank road company for increase of tolls, which was referred to the committee on roads and bridges.

Mr. Wright presented the petition of Alexander McGhee for relief, which was referred to the committee on claims.

Mr. Wright also presented the petition of trustees of the village of Salina for an amendment of its charter, which was referred to the committee on the incorporation of cities and villages.

Mr. Bartlett presented a resolution of the board of supervisors of the county of Delaware for an amendment of the poor laws, which was referred to the committee on poor laws.

Mr. Conger presented a resolution of the board of supervisors of Westchester county relating to distribution of school moneys, &c., which was referred to the committee on literature.

Mr. Platt presented the petition of Alfred Medbury and Byron Pool for correction of an error in appraisal of damages in the case of Oliver Pool, deceased, which was referred to the committee on claims.

Mr. Taber presented the petition of citizens along the line of the Champlain canal for a law prohibiting the opening of locks

and runing boats, &c., on said canal on Sundays, which was referred to the committee on canals.

Mr. Morgan presented a petition for a ferry across the Hudson river at Castleton, which was referred to the committee on commerce and navigation.

Mr. Vanderbilt presented the petition of Sarah Macklin for a release by the State of interest in certain lands in the city of Brooklyn, which was referred to the committee on the judiciary.

On motion of Mr. Conger,

Resolved, That the rules of the Senate adopted at its last session be in force until otherwise ordered, and that the same be referred to a select committee for revision.

Mr. Jones gave notice that he would, at a future day, ask leave to introduce a bill to provide for certain expenses chargeable upon the Canal Fund.

Mr. Conger gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to provide for the distribution of standard works of American authors among the libraries of district schools."

Mr. Cooley gave notice that he would, at an early day, ask leave to introduce a bill relative to savings banks, or institutions for savings.

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill repealing all laws authorising or requiring licenses for the sale of spirituous liquors.

Mr. McElwain gave notice that he would, at some future day, ask leave to introduce a bill to authorise John Fisher to convey real estate.

Mr. Morgan gave notice that he would, at an early day, ask leave to introduce a bill to enable the Metropolitan fire insurance company to increase the number of its directors.

Mr. McMurray gave notice that he would, at an early day, introduce a bill to incorporate the Atlantic railroad company.

Mr. Vanderbilt gave notice that he would, at an early day, introduce a bill entitled "An act in respect to the organization of the militia."

Mr. Taber gave notice that he would, at some future day, ask leave to bring in a bill entitled "An act to prevent injustice in the construction of railways in the city of New York."

On motion of Mr Huntington,

Resolved, That the petition of Morgan and William E. Worden, now on the files of the Senate, and papers relating thereto, be taken therefrom and referred to the committee on claims.

On motion of Mr. Platt,

Resolved, That the papers relating to the claims of Oliver Pool, be taken from the files and referred to the committee on claims.

On motion of Mr. Wright,

Resolved, That the papers relating to the amendment of the

charter of the village of Salina, be taken from the files of the Senate and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Wright,

Resolved, That the petition and papers relating to the claims of Alexander McGhee, be taken from the files of the Senate and referred to the committee on claims.

On motion of Mr. Conger,

Resolved, That the papers relative to the incorporation of the New Rochelle and Glen Cove ferry, be taken from the files of the Senate and referred to the committee on commerce and navigation.

Mr. Cooley offered for the consideration of the Senate the following preamble and resolution :

Whereas, The State of New York stands preeminently in the highest commercial position of the United States, and commands, by means of her canals, the best mode of transit communication between the Atlantic and Great Western inland seas, which are surrounded by vast regions of country inexhaustible in resources and illimitable in productions, whose immense and rapidly increasing trade must naturally and forever flow to our great commercial emporium ; and whereas, the stupendous projects put forth in our sister states and in the Canadian Provinces to direct the vast commerce of the west from its natural current, no less than the increasing business of the canals and the honor and highest interest of the State, clearly demands the speedy completion of the public works ; therefore

Resolved, (if the honorable the Assembly concur,) That a joint select committee of three Senators and four Members of Assembly be appointed, to take into consideration so much of the Governor's message as refers to the completion of the Erie canal enlargement and the Genesee Valley and Black river canals, with instructions to report at their early convenience, by bill, providing for the completion of those great public works as soon as the same can be done with a proper regard to economy and a just appreciation of the important public interests which the subject involves.

Ordered, That said resolution be laid upon the table.

On motion of Mr. Babcock,

The Senate took a recess until 12 o'clock, M.

12 O'CLOCK, M.

The Senate again met.

The Senate then went into executive session, and after some time spent therein, again resumed the consideration of legislative business.

On motion of Mr. Williams,

Resolved, That the petition and papers relating to the claim of Robert N. McFarren be taken from the files of the Senate and referred to the committee on claims.

The President presented the report of Mr. Bogart, appointed by the last Senate to complete a digest of claims.

The President then announced the following standing committees :

n Claims.

Mr. Jones,
Mr. Ward,

Mr. Williams.

On Finance.

Mr. McMurray,
Mr. Morgan,

Mr. Conger.

On the Judiciary.

Mr. Vanderbilt,
Mr. Babcock,

Mr. Taber.

On Canals.

Mr. Pierce,
Mr. Upham,

Mr. Davenport.

• *On Railroads.*

Mr. Bartlett,
Mr. Smith,

Mr. Munroe.

On Charitable and Religious Societies.

Mr. Beekman,
Mr. Taber,

Mr. Bristol.

On Literature.

Mr. Conger,
Mr. Beekman,

Mr. Van Schoonhoven.

On the Militia.

Mr. Kirby,
Mr. McElwain,

Mr. McMurray.

On Roads and Bridges.

Mr. Bennett,
Mr. Clark,

Mr. Vanderbilt.

On Grievances.

Mr. Cornell,
Mr. Huntington,

Mr. Upham.

Mr. Cooley,
Mr. Beach,

Mr. Wright, Mr. Otis, Mr. Snow.

Mr. Ward,

Mr. Bennett,

Mr. Bristol.

Mr. Rogers, Mr. Conger, Mr. Beach.

Mr. Van Schoonhoven, Mr. Bartlett.
Mr. Platt,

Mr. Clark, Mr. Newcomb, Mr. Cornell.

Mr. Bristol,

Mr. Smith,

Mr. Platt.

Mr. Platt,

Mr. McElwain,

Mr. Otis,

Mr. Huntington.

Mr. Otis,

Mr. Rogers,

Mr. Clark.

Mr. Smith,	Mr. Newcomb.
Mr. Davenport.	

Mr. Upham,
Mr. Pierce,

Mr. Huntington,

Mr. Jones,

Mr. Snow.

On Cities and Villages.

Mr. Morgan,
Mr. Williams,

Mr. Vanderbilt.

On Public Expenditures.

Mr. Davenport,
Mr. Rogers.

Mr. Morgan.

On Expiring Laws.

Mr. Williams,
Mr. Wright,

Mr. McElwain.

On Medical Societies and Colleges.

Mr. Snow,
Mr. Bartlett,

Mr. Wright.

On Public Printing.

Mr. Babcock,
Mr. Pierce,

Mr. Cooley.

On the Manufacture of Salt.

Mr. Munroe,
Mr. Cornell,

Mr. Newcomb.

Joint Library Committee.

Mr. Taber,
Mr. Jones,

Mr. Beekman.

The President appointed Mr. Conger, Mr. Vanderbilt and Mr. Babcock, a committee to revise the rules, under the resolution of Mr. Conger.

On motion of Mr. Snow,

The Senate then adjourned until 11 o'clock to-morrow morning.

THURSDAY, JANUARY, 6, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Beecher.

The journal of yesterday was read and approved.

Mr. Williams presented the petition of citizens of Tompkins county for a law providing for draining Cayuga marshes, which was referred to the committee on the internal affairs of towns and counties.

Mr. Cornell presented two petitions of citizens of Steuben county, for a division of said county into two jury districts, &c.,

which was referred to the committee on the erection and division of towns and counties.

Mr. Van Schoonhoven presented the petition of Rensselaer co agricultural society for a law authorising them to take, hold, and convey real estate for purposes of their association, which was referred to the committee on agriculture.

Mr. Munroe presented the petition of Kasson, Lewis & Co., for canal damages, which was referred to the committee on claims

Mr. Conger, from the select committee appointed to revise the rules of the Senate, reported several amendments in writing.

The same having been read,

Mr. Upham moved to lay said report on the table, and that the amendments proposed be printed.

The President then put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President presented a communication from the Inspectors of State Prisons with their annual report, which was referred to the committee on State Prisons and ordered printed.

Mr. Bartlett gave notice that he would, at an early day, ask leave to introduce a bill authorising the Delaware plank road company to sell their rights and franchises to the Delaware and Susquehanna railroad.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to provide for the distribution of the standard works of American authors among the libraries of district schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice,

Mr. Cooley asked for and obtained leave to introduce a bill entitled "An act relative to savings banks or institutions for savings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. McElwain asked for and obtained leave to introduce a bill entitled "An act to authorise John Fisher to sell and convey real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act in respect to the organization of the militia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia.

Mr. Munroe gave notice that he would, at an early day, ask leave to introduce a bill authorising two or more railroad companies to unite with one another and consolidate their stock.

Mr. Bristol gave notice that he would, at an early day, ask

leave to introduce a bill authorising the appropriation of money in aid of emigrants of color from this State.

In pursuance of previous notice,

Mr. McMurray asked for and obtained leave to introduce a bill entitled "An act to incorporate the Atlantic and Pacific railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice,

Mr. Morgan asked for and obtained leave to introduce a bill entitled "An act to authorise the Metropolitan fire insurance company in the city of New York to increase the number of their directors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

Mr. Cornell gave notice that he would, at an early day, ask leave to introduce a bill dividing the county of Steuben into two jury districts, and providing for holding courts alternately in each of said districts.

On motion of Mr. Wright,

Resolved, That the petition and papers relating to an amendment of the charter of the village of Waterford, be taken from the files of the Senate and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Snow,

Resolved, That the petition and papers on file in relation to the claim of Thomas Countryman, be referred to the committee on claims.

On motion of Mr. Snow,

Resolved, That a respectful message be sent to the honorable the Assembly, requesting that body to transmit to the Senate the petition and papers of sundry persons of Canajoharie, Montgomery county, praying for relief from canal damages; and that said papers, when received, be referred to the committee on claims.

On motion of Mr. Snow,

Resolved, That the petition and papers relating to the claim of John E. Van Eps, be taken from the files of the Senate and referred to the committee on claims, and that the printed documents containing the testimony relating to such claim be used by said committee in lieu of the original papers, which have been lost.

On motion of Mr. Snow,

Resolved, That the petition and papers relating to the claim of James H. Salisbury, be taken from the files of the Senate and referred to the committee on claims.

On motion of Mr. Conger,

Resolved, That the papers relating to the Nyack turnpike company, be taken from the files of the last session and referred to the committee on roads and bridges.

On motion of Mr. Huntington,
Resolved, That the petition of sundry citizens of Oneida county praying that the jurisdiction of justices of the peace may be extended in certain cases, and now on the files of the Senate, be taken therefrom and referred to the committee on the judiciary.

On motion of Mr. Conger,
The Senate then adjourned until 11 o'clock to-morrow morning.

FRIDAY, JANUARY 7, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Cooley presented the petition of George Wotherspoon, an alien, for leave to hold real estate, which was referred to the committee on the judiciary.

Mr. Beekman presented the petition of citizens of school district No. 7, in the town of Derburne, praying for relief, which was referred to the committee on literature.

Mr. Beekman also presented the petition of Henry K. S. Prichard for the passage of an act to enable him to convey real estate, which was referred to the committee on the judiciary.

Mr. Beekman also presented the memorial of Jordan S. Mott for an act to protect pattern makers and to prevent the use of castings as patterns for other castings, which was referred to the committee on manufactures.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to authorise the Metropolitan fire insurance company in the city of New-York to increase the number of their directors," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Munroe, from the committee on railroads, to which was referred the bill entitled "An act to incorporate the Atlantic and Pacific railroad company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

A message from the Assembly was received and read, requesting the Senate to transmit to that body the papers relating to the claim of Joseph Willis for canal damages.

Mr. Conger gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to provide for the better regulation of railroads and for the security of the lives of passengers thereon."

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill to provide for the enlargement of the Cayuga and Seneca canal.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act to abolish licenses for the sale of strong and spirituous liquors and wines," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act to provide for certain expenses chargeable upon the canal fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

In pursuance of previous notice,

Mr. Bristol asked for and obtained leave to introduce a bill entitled "An act authorising the appropriation of money in aid of emigrants of color from this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

In pursuance of previous notice,

Mr. Cornell asked for and obtained leave to introduced a bill entitled "An act to divide the county of Steuben into two jury districts and to provide for holding courts in and for said county alternately in each of said districts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

In pursuance of previous notice,

Mr. Taber asked for and obtained leave to introduce a bill entitled "An act to prevent injustice in the construction of railways in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Pierce gave notice that he would, at an early day, introduce a bill establishing a ferry at Fort Montgomery on the Hudson river. Also a bill with reference to taxation, requiring a return of personal property to the assessors under oath. Also a bill with reference to the taxation of property under mortgage.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the city of New York.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill for the protection of pattern makers, and to prevent the use of castings as patterns for other castings.

Mr. Babcock gave notice that he would ask leave, at an early day, to introduce a bill or bills authorising the Canal Commissioners to build a bridge or bridges across the Maine and Hamburg-st.

canal on the line of Louisiana street, and across the Clark and Skinner canal on the lines of Perry and Fulton streets in the city of Buffalo.

On motion of Mr. Huntington,

Resolved, That a respectful message be sent to the honorable the Assembly, requesting that the papers relating to the claim of Eliphalet Sears and Horace Adams, now on the files of the Assembly, be transmitted to the Senate, and that when received they be referred to the committee on claims.

On motion of Mr. Conger,

Resolved, That a respectful message be addressed to the honorable the Assembly, requesting the transmission of the papers relating to the Nyack turnpike company and the New Rochelle and Glen Cove ferry company, and that when received the former be referred to the committee on roads and bridges, and the latter to the committee on commerce.

On motion of Mr. Conger,

Resolved, That the Clerk of the Senate be authorised to purchase, for the library of the Senate, ten copies of the fourth edition of the Revised Statutes, provided that the cost thereof shall not exceed ten dollars per copy.

Mr. Bristol offered for the consideration of the Senate the following resolution, to wit:

Resolved, That the Clerk furnish to each of the officers of the Senate the same quantity of newspapers, with the same privilege as to postage on them and public documents as has been authorised for Senators, and that the expense be paid from funds to be appropriated therefor.

Mr. Conger moved to lay the said resolution on the table.

Debate was had thereon, when

Mr. Williams called for the ayes and nays.

The President put the question whether the Senate would agree to the said motion of Mr. Conger, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Davenport	McMurray	Pierce
Beekman	Cornell	Jones	Newcomb	

FOR THE NEGATIVE.

Bristol	McElwain	Platt	Upham	Ward
Clark	Morgan	Rogers	Vanderbilt	Williams
Huntington	Munroe	Smith	VanSchoonhoven	Wright
Kirby	Otis			

17

The President then announced the question to be on the adoption of said resolution.

Mr. Ward called for the ayes and nays.

The President put the question whether the Senate would agree to the passage of said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Huntington	Newcomb	Smith	VanSchoonhoven
Bristol	Kirby	Otis	Snaw	Ward
Clark	McElwain	Platt	Upnam	Williams
Cooley	Munroe	Rogers	Vanderbilt	Wright 20

FOR THE NEGATIVE.

Babcock	Conger	Jones	McMurray	Pierce 5
---------	--------	-------	----------	----------

On motion of Mr. McElwain,

Resolved, That the papers referring to the petition, &c., of the trustees of Union school of Warsaw, Wyoming county, be taken from the Senate files of the last session and referred to the committee on literature.

On motion of Mr. McMurray,

Resolved, That the petition and papers in relation to Andrew Coats to hold real estate, be taken from the files and referred to the judiciary committee.

On motion of Mr. Snow,

Resolved, That a respectful message be sent to the honorable the Assembly, requesting that body to transmit to the Senate the petition and papers relating to the claim of James H. Salisbury, and that said papers, when received, be referred to the committee on claims.

On motion of Mr. Rogers,

Resolved, That the papers relating to the bridge across the north branch of the Hudson river, be taken from the files and referred to the committee on roads and bridges.

On motion of Mr. Wright,

Resolved, That the committee on State prisons be, and are hereby requested, to inquire into the propriety of providing by law for appropriating a portion of earnings of convicts in our public prisons to the support of their families, or for their own use when discharged from confinement.

On motion of Mr. Beekman,

Resolved, That the memorial and other papers relating to the Ladies Depository in the city of New-York, be taken from the files and referred to the committee on charitable and religious societies.

On motion of Mr. Clark,

Resolved, That a respectful message be sent to the honorable the Assembly, requesting the papers on file in that House relating to laying out and opening a public highway in the village of Canandaigua, county of Ontario, be transmitted to the Senate, and when so received be referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Clark,

Resolved, That the papers relative to the claim of Horace Dodge for canal damages, be taken from the Senate files and referred to the committee on canals.

Mr. Pierce offered for the consideration of the Senate the following preambles and resolutions:

Whereas, It appears from the 715th page of the journal of the Senate at the last session, having reference to the annual appropriation bill, that upon the question of concurring with the Assembly in an amendment to said bill appropriating \$1,854 for the Revised Statutes, the following Senators are reported as voting in the affirmative, to wit: Messrs. Babcock, Bartlett, Beekman, Clark, Conger, Cooley, Cornell, Jones, EcElwain, McMurray, Morgan, Monroe, Pierce, Platt, Smith, Taber, Upham, Vanderbilt and Ward—19; and in the negative, Mr. Wright—1. And that upon the question of concurring in an amendment of the Assembly to said bill making an appropriation for the debates of the Constitutional Convention, the following Senators are reported as voting in the affirmative, to wit: Messrs. Babcock, Bartlett, Beach, Beekman, Conger, Cooley, Cornell, Jones, McElwain, McMurray, Monroe, Pierce, Platt, Smith, Taber, Upham, Vanderbilt and Williams—18; and the following in the negative, to wit: Messrs. Clark, Huntington, Morgan, Ward and Wright—5: therefore

Resolved, That the two several divisions as above should be respectively reversed, and that those who are represented as having voted in the affirmative in each case actually voted in the negative, and that those who are represented as having voted in the negative actually voted in the affirmative.

And whereas, It appears from the 717th page of said journal that the question whether the Senate would agree to the final passage of said appropriation bill was not put to the Senate, and consequently that said bill did not pass through all the forms of proceedings necessary to become a law; therefore

Resolved, That the said question that the Senate do agree to the passage of said bill *was* regularly put to the Senate, and decided in the affirmative by the votes of a majority of the Senators elected to this body, and consequently that said bill became a law, the said record to the contrary notwithstanding.

Resolved, That the above preambles and resolutions be entered upon the journal of the Senate, and that the journal of the last session stand corrected accordingly.

Ordered, That said resolutions be laid upon the table.

Mr. Pierce offered for the consideration of the Senate the following preambles and resolutions:

Whereas, We have reason to believe that the following concurrent resolution of the Senate and Assembly of this State at their last session was incorrectly engrossed and transmitted to our Senators and Members of Congress as an expression of the sentiments of the Legislature of this State on the subject therein contained, to wit:

“Resolved, (if the Assembly concur,) That in consideration of the grants made to the new states at the time of and since their admission into the Union, and of the many applications now

made for still further appropriations for railroads and internal improvements, that our Senators and Representatives be requested to urge upon that body the propriety of making grants of land upon some equal and just principle of appropriation to all the states, for the purpose of education and for other useful public purposes, having due regard to the grants already made, and the population of the respective states."

Whereas, Said resolution, as is well known, and as appears by the records of the Senate, was amended by adding after the word "body" therein, the words "if this system of distribution and appropriation is to be continued," which words materially affect the sense and import of the said resolutions, so that the same should have read as follows :

Resolved, (if the Assembly concur,) That in consideration of the grants made to the new states at the time of and since their admission into the Union, and of the many applications now made for still further appropriations for railroads and internal improvements, that our Senators and Representatives be requested to urge upon that body, if this system of distribution and appropriation is to be continued, the propriety of making grants of land upon some equal and just principle of appropriation to all the states, for the purpose of education and for other useful public purposes, having due regard to the grants already made, and the population of the respective states."

Resolved, That the above preambles and resolutions be entered upon the journal of the Senate, and that the Governor transmit a copy of the same to each of the Senators and Members of Congress from this State.

Ordered, That said resolutions be laid upon the table.

On motion of Mr. Wright,

Resolved, That when the Senate adjourns it adjourn over till Monday next.

Mr. Cooley called for the consideration of the preamble and resolution offered by him on the 5th inst., in the words following, to wit:

Whereas, The State of New York stands preeminently in the highest commercial position of the United States, and commands, by means of her canals, the best mode of transit communication between the Atlantic and Great Western inland seas, which are surrounded by vast regions of country inexhaustible in resources and illimitable in productions, whose immense and rapidly increasing trade must naturally and forever flow to our great commercial emporium; and whereas, the stupendous projects put forth in our sister states and in the Canadian Provinces to direct the vast commerce of the west from its natural current, no less than the increasing business of the canals and the honor and highest interest of the State, clearly demands the speedy completion of the public works; therefore

Resolved, (if the honorable the Assembly concur,) That a joint

select committee of three Senators and four Members of Assembly be appointed, to take into consideration so much of the Governor's message as refers to the completion of the Erie canal enlargement and the Genesee Valley and Black river canals, with instructions to report at their early convenience, by bill, providing for the completion of those great public works as soon as the same can be done with a proper regard to economy and a just appreciation of the important public interests which the subject involves.

Mr. Platt moved to amend said resolution by adding after the word "Erie" the words "and Oswego."

Mr. Cooley accepted the said amendment.

Mr. Williams moved to amend said resolution by inserting after the words "great public works" the words, "and also for the enlargement of the Cayuga and Seneca canal."

Mr. Cooley accepted the said amendment.

Debate was had thereon, when

Mr. Vanderbilt moved to strike out the said amendment offered by Mr. Williams.

The President then put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Cornell moved that the said resolution of Mr. Cooley as amended be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Platt,

Resolved, That a respectful message be sent to the Assembly, requesting the transmission to this body of all the papers relating to the claim of Oliver Pool, and that when received they be referred to the committee on claims.

On motion of Mr. Taber,

Resolved, That the papers relating to the claim of the representatives of Henry Baker, deceased, for damages, be taken from the files of the Senate and referred to the committee on claims.

On motion of Mr. Snow,

Resolved, That a respectful message be sent to the honorable the Assembly, requesting that body to transmit to the Senate the petition and papers relative to the claim of David Dievendorff, and that said papers, when received, be referred to the committee on claims. Also the petitions and papers of Charles Dievendorff; also of John C. Phillips; also of Lewis Ransom; and also of John H. Babcock.

On motion of Mr. Cornell,

Resolved, That the petition and papers relative to the division of Steuben county into two jury districts, now on the files of the Senate, be taken therefrom and referred to the committee on the internal affairs of towns and counties, and that the reference of the bill and petitions presented at this session be changed to the same committee.

A message was received from the Assembly, requesting the Senate to transmit to that body the petition and papers on the files of the Senate in relation to the St. Regis Indians.

On motion of Mr. Cooley,

The Senate then adjourned until 11 o'clock Monday morning.

MONDAY, JAN. 10, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Campbell.

The journal of Friday was read and approved.

Mr. Taber presented the petition of John Munro and others for relief, which was referred to the committee on claims.

Mr. Platt presented the petition of James Hay claiming heirship to the escheated estate of John G. Leake, which was referred to the committee on the judiciary.

Mr. Vanderbilt presented the petition of the board of supervisors of Kings co. in relation to the penitentiary and sheriff's fees in said county, which was referred to the committee on the judiciary.

Mr. Cornell presented the petition of citizens of Troupsburgh for the division of Steuben co. into two jury districts, which was referred to the committee on the internal affairs of towns and counties.

Mr. Williams presented the petition of Bell and Boardus, contractors on sections 200 and 201 of Erie canal enlargement for relief, which was referred to the committee on claims.

Mr. McElwain presented a petition to allow J. P. Rounsville to erect a dam across the Genesee river at Belfast, Allegany co., which was referred to the committee on canals.

Mr. Kirby presented the petition of Lucilla Tracy for an act to incorporate the Tracy female seminary in the city of Rochester, which was referred to the committee on literature.

Mr. Jones presented the petition of the Newburgh and Ellen-ville plank road company for an act to authorise an abandonment of parts of their road and for issuing a preferred stock, which was referred to the committee on roads and bridges.

Mr. Clark presented two petitions of Edson Carr and others, tax payers, and other citizens of Canandaigua, for laying out and opening a street in said village, which were referred to the committee on the incorporation of cities and villages.

Mr. Cooley, from the committee on banks and insurance com-

panies, to which was referred the bill entitled "An act relative to savings banks or institutons for savings," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to authorise a part of the records of the county of Orange to be transcribed and deposited in the clerk's office of the county of Rockland."

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to amend the charter of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act for the protection of pattern makers and to prevent the use of castings as patterns for other castings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

Mr. Taber gave notice that he would, at some future day, ask leave to introduce a bill to amend the charter of the Watervliet plank road company.

In pursuance of previous notice,

Mr. Taber, in behalf of Mr. Monroe, asked for and obtained leave to introduce a bill entitled "An act to authorise the union and consolidation of railroad companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Pierce gave notice that he would, at an early day, ask leave to introduce a bill increasing the pay of clerks and other officers of the two Houses of the Legislature, so as to render extra appropriations unnecessary at each session. Also a bill regulating the provision of stationery for the members and officers of the two Houses of the Legislature of this State.

Mr. Vanderbilt gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to supply the city of Brooklyn with water." Also "An act in relation to the terms of the city court of Brooklyn."

On motion of Mr. Bartlett,

Resolved, That the State Engineer and Surveyor be directed to ascertain and report, as soon as practicable—

1st. The amount of freight that has been carried by the railroads of this State from lakes Erie and Ontario towards tide water during the past year, stating what quantity of the same was through freight.

2d. The amount of freight which has been delivered by said roads at tide water and on Lake Champlain.

3d. The amount of freight which has been carried from tide

water and Lake Champlain on said roads, stating what quantity was through freight, and the amount of freight which has been delivered by said roads at lakes Erie and Ontario.

4th. The amounts to be specified in tons, specifying the quantities in each case, of products of the forest, of animals, of vegetable food, of other agricultural products, of manufactures, of merchandise, and other articles arranged in classes, designating the articles embraced in each.

5th. The cost per ton per mile of transporting such freight on railroads from lakes Erie and Ontario to tide water and Lake Champlain, and from tide water and Lake Champlain to lakes Erie and Ontario.

Mr. Beekman offered for the consideration of the Senate the following resolutions, to wit :

Resolved, (if the Assembly concur,) That the Legislature of the State of New-York have regarded, with deep solicitude and regret, the recent persecutions to which Francisco Madiat, and his wife Rosa Madiat, have been subjected in the kingdom of Tuscany, for the alleged crime of peaceably reading the holy scriptures.

Resolved, (if the Assembly concur,) That the congratulations with which the State of New-York formally, and by public act, hailed, in 1847, the efforts of Pius IX. to ameliorate the condition of the Italian people, and to bestow upon them the incalculable blessings of national independence and constitutional freedom, make eminently proper at this time, as formal and public a remonstrance against cruel and flagrant oppression in the same land.

Resolved, (if the assembly concur,) That the President of the United States be respectfully requested to exert his best influence with the government of Tuscany to obtain, as a favor asked by a people which welcomes all strangers and protects all religions, permission for the Madiats' and their fellow prisoners for the same offence, to emigrate to this country.

Resolved, (if the Assembly concur,) That a copy of these resolutions be duly authenticated, and forwarded by the Governor to the President of the United States, and to each of the Senators and Representatives in Congress from this State.

Ordered, That said resolutions be laid upon the table.

Mr. Pierce called for the consideration of the resolution heretofore offered by him, in the words following, to wit :

Whereas, It appears from the 715 page of the journal of the Senate at the last session, having reference to the annual appropriation bill, that upon the question of concurring with the Assembly in an amendment to said bill appropriating \$1,854 for the Revised Statutes, the following Senators are reported as voting in the affirmative, to wit: Messrs. Babcock, Bartlett, Beekman, Clark, Conger, Cooley, Cornell, Jones, McElwain, McMurray, Morgan, Monroe, Pierce, Platt, Smith, Taber, Upham, Vanderbilt

and Ward—19; and in the negative, Mr. Wright—1. And that upon the question of concurring in an amendment of the Assembly to said bill, making an appropriation for the debates of the Constitutional Convention, the following Senators are reported as voting in the affirmative, to wit: Messrs. Babcock, Bartlett, Beach, Beekman, Conger, Cooley, Cornell, Jones, McElwain, McMurray, Monroe, Pierce, Platt, Smith, Taber, Upham, Vanderbilt and Williams—18; and the following in the negative, to wit: Messrs. Clark, Huntington, Morgan, Ward and Wright—5: therefore

Resolved, That the two several divisions as above should be respectively reversed, and that those who are represented as having voted in the affirmative in each case, actually voted in the negative, and that those who are represented as having voted in the negative, actually voted in the affirmative.

And whereas, It appears from the 717th page of said journal, that the question whether the Senate would agree to the final passage of said appropriation bill was not put to the Senate, and consequently that said bill did not pass through all the forms of proceedings necessary to become a law; therefore

Resolved, That the said question that the Senate do agree to the passage of said bill was regularly put to the Senate, and decided in the affirmative by the votes of a majority of the Senators elected to this body, and consequently that said bill became a law, the said record to the contrary notwithstanding.

Resolved, That the above preambles and resolutions be entered upon the journal of the Senate, and that the journal of the last session be corrected accordingly.

The President put the question whether the Senate would agree to the said resolutions, and it was decided in the affirmative.

Mr. Pierce called for the consideration of the resolutions heretofore offered by him, in the words following, to wit:

Whereas, We have reason to believe that the following concurrent resolution of the Senate and Assembly of this State at their last session was incorrectly engrossed and transmitted to our Senators and Members of Congress, as an expression of the sentiments of the Legislature of this State on the subject therein contained, to wit:

“Resolved, (if the Assembly concur,) That in consideration of the grants made to the new states at the time of and since their admission into the Union, and of the many applications now made for still further appropriations for railroads and internal improvements, that our Senators and Representatives be requested to urge upon that body the propriety of making grants of land upon some equal and just principle of appropriation to all the states for the purposes of education and for other useful public purposes, having due regard to the grants already made, and the population of the respective states.”

Whereas, Said resolution, as is well known, and as appears by the records of the Senate, was amended by adding after the word

"body" therein, the words "if this system of distribution and appropriation is to be continued," which words materially affect the sense and import of the said resolutions, so that the same should have read as follows :

Resolved, (if the Assembly concur,) That in consideration of the grants made to the new states at the time of and since their admission into the Union, and of the many applications now made for still further appropriations for railroads and internal improvements, that our Senators and Representatives be requested to urge upon that body, if this system of distribution and appropriation is to be continued, the propriety of making grants of land upon some equal and just principle of appropriation to all the states, for the purpose of education and for other useful public purposes, having due regard to the grants already made, and the population of the respective states."

Resolved, That the above preambles and resolutions be entered upon the journal of the Senate, and that the Governor transmit a copy of the same to each of the Senators and Members of Congress from this State.

Ordered, That said resolutions be laid upon the table.

On motion of Mr. Taber,

Resolved, That the memorial and papers relating to a national university, be withdrawn from the files of the Senate and referred to the committee on literature.

The Senate then resolved itself into a committee on the following entitled bill :

"An act to incorporate the Atlantic and Pacific railroad company."

After some time spent thereon, Mr. Upham, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Upham,

The Senate then adjourned until 11 o'clock to-morrow morning.

TUESDAY, JAN. 11, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Daly.

Mr. Clark presented three several petitions of citizens of Canandaigua for laying out and opening a street in said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Smith presented a resolution of the board of supervisors of Franklin co. in relation to the militia law, which was referred to the committee on militia and public defence.

Mr. Bristol presented the petition of sundry inhabitants of the town of Triangle, Broome co., for a law authorising the raising of money to build a bridge, which was referred to the committee on roads and bridges.

Mr. McMurray presented the petition and other papers of citizens of New-York city for a law simplifying the manner of collecting arrears of taxes and assessments in said city, which was referred to the committee on the judiciary.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled "An act to authorise Andrew Coates to hold real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled "An act to authorise George Wotherspoon to take, hold and convey real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bristol, from the committee on charitable and religious societies, to which was referred a memorial for that purpose, reported a bill entitled "An act to incorporate the ladies depository of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Jones gave notice that he would, at an early day, ask leave to introduce a bill to authorise the trustees of the Newburgh academy to sell a certain lot of ground owned by said trustees.

Mr. Babcock gave notice that he would ask leave, at an early day, to introduce a bill entitled "An act to authorise the formation of corporations for building purposes."

In pursuance of previous notice,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act for the supply of the city of Brooklyn with water," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act authorising the Canal Commissioners to build a bridge across the Clark and Skinner canal at Perry street in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent,
The executive session was postponed.

Mr. Bristol called for the consideration of the report of the committee on the revision of the rules and orders.

Mr. Babcock moved to strike out the word "present" in the 3d line of the 42d rule in the Red Book of last year.

Debate was had thereon, when

Mr. Babcock called for the ayes and nays.

The President put the question whether the Senate would agree to the said motion of Mr. Babcock, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	McElwain	Munroe	Platt	Williams	
Clark	McMurray	Newcomb	Ward	Wright	
Huntington					11

FOR THE NEGATIVE.

Bartlett	Conger	Jones	Rogers	Snow	
Bennett	Davenport	Otis	Smith	Vanderbilt	
Bristol					11

The President then put the question whether the Senate would agree to the amendments proposed by the committee to said rules, which was decided in the affirmative.

Mr. Cooley moved to take up the preamble and resolution offered by him on the 5th inst., for the speedy completion of the public works.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Cooley then moved to reconsider the vote and strike out the amendment offered by Mr. Williams and accepted by him, in the following words: "and also for the enlargement of the Cayuga and Seneca canal."

Debate was had thereon, when

Mr. Jones called for the ayes and nays.

The President put the question whether the Senate would agree to the said motion to reconsider said vote, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	Morgan	Platt	Taber	
Bartlett	Davenport	Munroe	Rogers	Upham	
Bristol	Jones	Newcomb	Smith	Vanderbilt	
Conger	Kirby	Otis	Snow	Ward	
Cooley	McMurray				22

FOR THE NEGATIVE.

Clark	Huntington	McElwain	Williams	Wright	5
-------	------------	----------	----------	--------	---

The President then put the question whether the Senate would agree to the said motion to strike out, and it was decided in the affirmative.

The President then announced the question to be on the preamble and resolutions as amended.

Debate was had thereon, when

Mr. Wright offered the following as a substitute for said resolutions:

Resolved, That all that portion of the Governor's message relating to the canals of this State, be referred to the committee on canals.

Debate was had thereon, when

Mr. Wright called for the ayes and nays.

The President put the question whether the Senate would agree to the said substitute, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cornell	Wright				2
---------	--------	--	--	--	---

FOR THE NEGATIVE.

Babcock	Conger	Jones	Newcomb	Taber	
Bartlett	Cooley	Kirby	Otis	Vanderbilt	
Bristol	Davenport	McMurray	Platt	Ward	
Clark	Huntington	Munroe	Snow		19

The President then again announced the question to be on the resolutions as amended.

Mr. Cooley called for the ayes and nays.

The President put the question whether the Senate would agree to the passage of said resolutions, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Otis	Taber	
Bartlett	Davenport	McMurray	Platt	Upham	
Bristol	Huntington	Munroe	Rogers	Vanderbilt	
Clark	Jones	Newcomb	Snow	Ward	
Conger	Kirby				22

FOR THE NEGATIVE.

Smith	Wright				2
-------	--------	--	--	--	---

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

On motion of Mr. Conger,

Resolved, That the committee on finance be instructed to enquire whether any, and what clauses of the "Act to provide for certain expenses of government," passed April 17, 1852, being chap. 407, Laws of 1852, do not actually correspond with the final action of the last Legislature thereon, as the same may appear by reference to the journal of the Senate or otherwise, and to report upon the same at an early day.

Mr. McMurray offered for the consideration of the Senate the following resolution, to wit:

Resolved, That so much of the annual message of his excellency the Governor as relates to the finances of the State, to the

canal debt and General Fund debt, and the levying of a State tax, be referred to the committee on finance.

That so much thereof as relates to charges in legal procedure, to terms of imprisonment, and review, by the Supreme Court, of testimony and proceedings in cases of capital conviction, and the subject of manorial titles, be referred to the committee on the judiciary.

That so much thereof as relates to the State Asylum at Utica, the Lunatic Asylum on Blackwell's Island, the establishment of a lunatic asylum in the western part of the State, the Asylum for Idiots, the New-York Institution for the Deaf and Dumb, the Institution for the Blind, and the Houses of Refuge in Rochester and New-York, be referred to the committee on charitable and religious societies.

That so much thereof as relates to colleges, academies, and the condition and progress of the common school system, the State Normal School and departments for the education of common school teachers in academies, for topographical surveys, and the general subject of education and science, be referred to the committee on literature.

That so much thereof as relates to the establishment of schools and colleges for the promotion of agricultural and natural sciences, be referred to the committee on agriculture.

That so much thereof as relates to the establishment of schools and colleges for the promotion of mechanical sciences, be referred to the committee on manufactures.

That so much thereof as relates to the several State prisons of the State, and the employment of convict labor in the same, be referred to the committee on State prisons.

That so much thereof as relates to the militia and public defence, be referred to the committee on the militia and public defence.

That so much thereof as relates to banks, banking institutions, insurance companies, and individual bankers, be referred to the committee on banks and insurance companies.

That so much thereof as relates to railroads and railroad accidents, be referred to the committee on railroads.

That so much thereof as relates to the State library, be referred to the joint library committee.

That so much thereof as relates to the commissioners of emigration, be referred to the committee on poor laws.

That so much thereof as relates to the exhibition for the industry of all nations, be referred to the committee on trade and manufactures.

Ordered, That said resolution be laid upon the table, and printed.

On motion of Mr. Conger,

Resolved, That a respectful message be addressed to the honorable the Assembly, requesting the transmission to this body of

all the papers on file relating to the levying of a tax on the town of Westchester for the building of engine houses; also the papers relating to the change of the name of the village of Mile-square, and that the same, when received, be referred to the committee on the internal affairs of towns and counties. Also the papers relating to the custody of books, papers, &c., of the late town of Westchester, and also for the restoration of papers, books, and land warrants throughout the State, and the depository of the same in the county offices of record, and that the same, when received, be referred to the committee on the judiciary.

Mr. Vanderbilt offered for the consideration of the Senate the following resolution, to wit:

Resolved, (if the Assembly concur,) That a committee of three of the Senate and five of the Assembly be appointed, to revise the joint rules of the two Houses of this Legislature.

Ordered, That said resolution be laid upon the table.

On motion of Mr. Pierce,

Resolved, That a respectful message be sent to the Assembly, asking a return of the petition and papers in the case of Augustus Cornwall, and that the same be referred to the judiciary committee.

On motion of Mr. Bartlett,

The Senate then adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, JAN. 12, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Pohlman.

The journal of the 10th and yesterday were read and approved.

Mr. Vanderbilt presented the petition of the Atlantic dock company, Daniel Richards, and others, for act of incorporation to build docks, bulk heads, piers, basins, &c., which was referred to the committee on commerce and navigation.

Mr. Vanderbilt also presented the petition of the Brooklyn savings bank for authority to purchase stock of Kings co., which was referred to the committee on banks and insurance companies.

Mr. Cornell presented the petition of citizens of Steuben co. for a division of said county into two jury districts, &c., which was referred to the committee of the whole when upon a bill for that purpose.

Mr. Bristol presented the petition of citizens of Triangle, Broome co., for an act authorising the building of a free bridge across the Tioughnioga at Whitney's Point, which was referred to the committee on roads and bridges.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled "An act to amend an act entitled 'An act to revise, amend, and consolidate the several acts in relation to the village of Salem,' passed April 16, 1851," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Jones, from the committee on claims, to which was referred the petition and other papers of Horace Dodge and others for relief, asked to be discharged from the further consideration thereof, and that the same be referred to the committee on canals.

The President put the question whether the Senate would agree to the said request, and it was decided in the affirmative.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to authorise John Fisher to sell and convey real estate," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to divide the county of Steuben into two jury districts and to provide for holding courts in and for said county alternately in each of said districts," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

The President presented the report of the State Treasurer in reply to a resolution of the Senate at the last session respecting clerical force in his office, which was referred to the committee on finance and ordered printed.

The President also presented the annual report of the Bank of America, which was referred to the committee on banks and insurance companies.

Mr. Bartlett, from the select committee appointed at last session to enquire into the causes of railroad accidents, &c., made a written report, which was laid upon the table and ordered printed.

In pursuance of previous notice,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act to enable the trustees of Newburgh academy to sell lands, &c.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to authorise a part of the records of the county

of Orange to be transcribed and deposited in the clerk's office of the county of Rockland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act authorising the Canal Commissioners to build a bridge across the Main and Hamburg street canal in the city of Buffalo at Louisiana street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Babcock gave notice that he would ask leave, at an early day, to introduce a bill entitled "An act to facilitate the proof of the payment of debts in certain cases."

Mr. Wright gave notice that he would, at an early day, ask leave to introduce a bill amending the Revised Statutes in relation to the town of Waterford.

Mr. Conger gave notice that he would, at an early day, ask leave to introduce the following entitled bills:

"An act to incorporate the American geographical and statistical society."

Also "An act repealing 'An act for the establishment of teachers' institutes.'"

Also "An act to amend the act entitled 'An act in relation to the university.'"

Mr. Wright gave notice that he would, at an early day, ask leave to introduce a bill empowering and requiring the Canal Commissioners to enlarge the locks on the Champlain canal to the corresponding size of the enlarged Erie canal, whenever said locks require rebuilding.

Mr. Morgan gave notice that he would, at some future day, ask leave to introduce a bill to amend the law of 1851 in relation to life insurance companies of sister states or foreign governments, transacting business in this State.

Mr. Pierce gave notice that he would, at an early day, ask leave to introduce a bill to authorise the supervisors of the county of Greene to levy a tax on the town of Catskill to build a bridge; also "An act amending section 4, title 3, chap. 1, part 3, of the Revised Statutes, in pursuance of the report of the Comptroller;" also "An act to amend or repeal chap. 175, Laws of 1849, providing for the publication of the Colonial History, to provide for the settlement of claims for damages arising therefrom, and to provide for the sale of the papers and manuscripts furnished and prepared therefor."

Mr. Monroe gave notice that he would, at an early day, ask leave to introduce a bill for the relief of the Salina, Liverpool and Clay plank road company, by allowing them to abandon a part of their road.

On motion of Mr Huntington,

Resolved, That a respectful message be sent to the honorable the Assembly, requesting that the papers now on their files relating to the claim of Charles Vroman and Levi Hurlbut, be transmitted to the Senate, and that when received, they be referred to the committee on claims.

Mr. Taber offered for the consideration of the Senate the following resolution :

Resolved, That William Pepper be allowed the sum of one dollar and fifty cents per day, for a period not exceeding twenty-one days, for his services in arranging the Senate library, and looking up and replacing the missing volumes thereof, the time to be certified by the Clerk of the Senate, and the compensation to be paid out of any moneys applicable to the contingent expenses of the Senate.

Debate was had thereon, when

Mr. Conger offered the following resolution as an amendment to that offered by Mr. Taber, to wit :

Resolved, That the officer of the Senate having charge of the library, report, within a fortnight, what number of books belonging to the same, as charged on his blotter, or other memorandum, during the last session, remain at that time not returned, and also whether any expenses chargeable for the returning of said books remain unpaid by him.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

The President then put the question whether the Senate would agree the said resolution as amended, and it was decided in the affirmative.

Mr. Wright offered for the consideration of the Senate a resolution in the words following, to wit :

Resolved, That two thousand extra copies be printed of the report of the railroad committee, submitted this morning, for the use of the Senate, and five hundred copies for the use of the State Engineer and Surveyor.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Taber,

Resolved, That the report of the select committee to investigate the causes of casualties on railroads, this day made, be taken from the table and referred to the standing committee on railroads, with instructions to report such bill, if any, as the facts contained in the report of said special committee may in their judgment require.

The Senate then resolved itself into a committee of the whole on the following entitled bill :

"An act to incorporate the Atlantic and Pacific railroad company."

And after some time spent thereon, Mr. Upham from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bill :

"An act to authorise the Metropolitan fire insurance company to increase the number of their directors."

And after some time spent thereon, Mr. Bristol, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bill :

"An act in relation to savings banks and institutions for savings."

And after some time spent thereon, Mr. Clark, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Huntington,

The Senate adjourned until 11 o'clock, to-morrow morning.

THURSDAY, JANUARY, 13, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Daly.

The journal of yesterday was read and approved.

Mr. McElwain presented the resolutions of the board of supervisors of Wyoming co. for a law making the office of clerk of said county a salary office, which was referred to the committee on the judiciary.

Mr. Snow presented the petition of Jacob and David Cox for relief, which was referred to the committee on claims.

Mr. Williams presented the petition of O. N. Gregory and 190 others, citizens of Tompkins co., for a law providing for the effectual draining of Cayuga marshes.

On motion of Mr. Williams,

Said petition was referred to a select committee consisting of Senators from the 20th, 22d, 23d, 24th and 25th districts.

Mr. McElwain, from the committee on agriculture, to which was referred the petition for that purpose, reported a bill entitled "An act authorising the Rensselaer county agricultural society to hold real estate for the use of said society," which was read the

first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Kirby, from the committee on the militia, to which was referred the bill entitled, "An act to authorise the addition of another regiment to the militia in the fifth brigade district," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cooley presented the fourth annual report of the Auburn savings bank, which was referred to the committee on banks and insurance companies.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the petition for that purpose, reported a bill entitled "An act to authorise the laying out and opening a public highway in the village of Canandaigua, county of Ontario," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bartlett, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorise the union and consolidation of railroad companies," made a majority report, himself dissenting in part, which was committed to the committee of the whole.

A message was received from the Assembly, announcing that Messrs. Russel Smith, Loomis, Weeks, Ellsworth and Clapp, had been appointed a committee to meet with a similar committee from the Senate, for the purpose of revising the joint rules of the two houses.

In pursuance of previous notice,

Mr. Munroe asked for and obtained leave to introduce a bill entitled "An act for the relief of the Salina, Liverpool and Clay plank road company by allowing them to abandon a part of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to incorporate the American geographical and statistical society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act repealing an act for the establishment of teachers' institutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act relative to the

university,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice, •

Mr. Wright asked for and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes in relation to the trial of persons accused of minor offences in the town of Waterford," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Morgan gave notice that he would, at an early day, ask leave to introduce a bill to amend an act passed April 6, 1852, in relation to the Harlem railroad company.

The bill entitled "An act to authorise the Metropolitan fire insurance company in the city of New-York to increase the number of their directors," was read the third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Newcomb	Upham
Bennett	Davenport	McMurray	Platt	Vanderbilt
Bristol	Huntington	Morgan	Smith	Ward
Clark	Kirby			

17

FOR THE NEGATIVE.

Conger Wright

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act relative to savings banks or institutions for savings."

And after some time spent thereon, Mr. Clark, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to authorise Andrew Coates to hold real estate;" also

"An act to enable George Wotherspoon to take, hold and convey real estate."

And after some time spent thereon, Mr. Conger, from said committee, reported in favor of the passage of the same with amendments, which amendments were agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorise John Fisher to sell and convey real estate, and to release the interest of the people of this State in certain lands in Wyoming county."

And after some time spent thereon, Mr. Taber, from said com-

mittee, reported in favor of the passage of the same with amendments, which amendments were agreed to, and said bill ordered engrossed for a third reading.

The regular order of business having been gone through with, Mr. Pierce asked unanimous consent to introduce three several bills.

Mr. Cooley moved that the Senate return to the 7th order of business, notices and introduction of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act repealing chapter 175, Laws of 1849, relating to the publication of the Colonial History of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public printing.

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act to authorise the board of supervisors of the county of Greene to levy a tax on the town of Catskill," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act to amend the provisions of the Revised Statutes relating to the compensation of constables attending upon the terms of the supreme court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

In pursuance of previous notice,

Mr. Wright asked for and obtained leave to introduce a bill entitled "An act authorising and requiring the enlarging of the locks on the Champlain canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act to authorise the formation of corporations for building purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bennett gave notice that he would, at an early day, ask leave to introduce a bill to make the office of county clerk a salaried office, reduce the fees, and change the manner of keeping the records of the same.

On motion of Mr. Conger,

Resolved, That the Clerk be requested to procure as many copies of the journal of this House printed from time to time in signa-

tures, as may be necessary to place on the files of each member and officer of the Senate one copy of each of said printed signatures.

Mr. Upham moved to reconsider the vote on the adoption of said resolution, and that said motion do lay on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Conger,

The Senate then adjourned until 11 o'clock to-morrow morning.

FRIDAY, JANUARY 14, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Clark presented a resolution of the board of supervisors of Ontario co. for a repeal of the act requiring a registry of births, marriages and deaths; also for a repeal of the law requiring the auditing of town accounts on a specific day, which was referred to the committee on the internal affairs of towns and counties.

Mr. Clark presented the petition and resolutions of voters in school district No. 1 in the town of Seneca, county of Ontario, for a law in relation to said district, which was referred to the committee on literature.

Mr. Upham presented the petition of the directors of the Buffalo and Batavia plank road asking for the passage of a law appropriating highway work for the benefit of said road, which was referred to the committee on roads and bridges.

Mr. Upham presented the petition of inhabitants of Genesee and Erie counties asking for the passage of a law appropriating highway work for the benefit of the Batavia and Buffalo plank road company, which was referred to the committee on roads and bridges.

Mr. Ward presented the petition of the supervisors and other citizens of Cattaraugus co. for a law allowing them to change the location of their clerk's office, which was referred to the committee on the internal affairs of towns and counties.

The President presented the sixth annual report of the Regents of the University, which was referred to the committee on literature, and ordered printed.

Mr. Ward, from the committee on claims, to which was referred the bill entitled "An act authorising the appraisal and pay-

ment of damages to the legal representatives of Henry Baker, sustained by the obstruction of the water of Mill creek by Erie canal," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Jones, from the committee on claims, to which was referred the petition of Kasson Lewis & Co. for damages, moved to be discharged from the further consideration thereof, and that the same be referred to the committee on grievances.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act to authorise the formation of corporations for building purposes," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled "An act to confirm the title of Sarah Macklin to certain lands in Brooklyn, and to release the right, title and interest of the people of this State thereto," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to authorise a part of the records of the county of Orange to be transcribed and deposited in the clerk's office of the county of Rockland," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

In pursuance of previous notice,

Mr. Morgan asked for and obtained leave to introduce a bill entitled "An act to amend an act relating to the New-York and Harlem railroad company, passed May 7, 1840, and the acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act in relation to the terms of the city court of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Bristol,

Resolved, That a respectful message be sent to the honorable the Assembly, requesting that body to transmit to the Senate the bill, and all papers relating to the same, entitled "An act to authorise the superintendent of common schools of the town of Homer, Cortland county, to sell and convey the public school land of said town," which bill passed the Assembly at the last

session, and when the same are received they be referred to the committee on literature.

On motion of Mr. Snow,

Resolved, That when the Senate adjourns it adjourn until Monday next, at 11 o'clock A. M.

Mr. Vanderbilt called for the consideration of the resolution from the Assembly appointing a committee to revise the joint rules.

Mr. Vanderbilt then moved that a committee of three be appointed on the part of the Senate, in pursuance of said resolution.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President appointed Messrs. Vanderbilt, Conger and Babcock, as such committee.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to amend an act entitled 'An act to revise, amend and consolidate the several acts in relation to the village of Salem,' passed April 16, 1851."

And after some time spent thereon, Mr. Van Schoonhoven, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to authorise John Fisher to sell and convey real estate, and to release the interest of the people of this State in certain lands in Wyoming county."

"An act to authorise Andrew Coates to hold real estate."

"An act to enable George Wotherspoon to take, hold and convey real estate."

The bill entitled "An act to authorise John Fisher to sell and convey real estate, and to release the interest of the people of this State in certain lands in Wyoming county," was read a third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Smith	Vanderbilt
Bartlett	Davenport	McMurray	Snow	VanSchoonhoven
Bennett	Huntington	Newcomb	Taber	Ward
Bristol	Jones	Platt	Upham	Wright
Clark	Kirby	Rogers		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise Andrew Coates to hold real estate," was read a third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Rogers	Vanderbilt
Bartlett	Cooley	McElwain	Smith	VanSchoonhoven
Bennett	Davenport	McMurray	Snow	Ward
Bristol	Huntington	Newcomb	Taber	Wright
Clark	Jones	Platt	Upham	24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable George Wotherspoon to take, hold and convey real estate," was read a third time and passed, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Upham
Bartlett	Cooley	McElwain	Rogers	Vanderbilt
Bennett	Davenport	McMurray	Smith	VanSchoonhoven
Bristol	Huntington	Newcomb	Snow	Ward
Clark	Jones	Otis	Taber	Wright 25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. VanSchoonhoven,
The Senate then adjourned until 11 o'clock Monday morning.

MONDAY, JAN. 17, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Davenport.

The journal of Friday was read and approved.

Mr. Babcock presented the petition of citizens of Buffalo for the passage of a law authorising the construction of two bridges across the Clark and Skinner canal in the city of Buffalo, which was referred to the committee on canals.

Mr. Taber presented the petition of Stephen A. Daggett and others for canal damages, which was referred to the committee on claims.

Mr. Williams presented the petition of citizens of the county of Tompkins asking that a law be passed to provide for the draining of Cayuga marshes, which was referred to a select committee consisting of Senators from the 20th, 21st, 22d, 23d and 24th districts.

Mr. Beekman presented the memorial of the trustees of the Leake and Watts orphan house in the city of New-York in relation to the escheated lands of John G. Leake, and praying for the passage of an act to vest in them such of said lands as are unsold, and the proceeds of the portions thereof sold by the State, for the purposes of their incorporation, which was referred to the committee on the judiciary.

Mr. Kirby presented a petition in relation to the Albion plank road company, which was referred to the committee on roads and bridges.

Mr. Huntington presented the petition of citizens of Oneida co. asking for the establishment of an agricultural college and experimental farm, which was referred to the committee on agriculture.

Mr. Conger presented the petition of Henry Overing, of Westchester co., for the reimbursement of his expenditures in the defence of an oppressive litigation against him, instituted in 1849 by the Attorney General, in the name of the people of the State of New-York, for the lands of said Overing in Delaware co., which was referred to the committee on the judiciary.

Mr. Huntington presented the petition of citizens of the village of Rome asking an amendment of their charter, which was referred to the committee on the incorporation of cities and villages.

Mr. Huntington also presented the petition of citizens of Rome, county of Oneida, asking an increase of the rates of toll on plank roads, which was referred to the committee on roads and bridges.

Mr. Wright presented the petition of forwarders and boatmen of Washington county for an enlargement of the locks on the Champlain canal, which was referred to the committee on canals.

Mr. Taber presented the petition of inhabitants of the county towns of Albany county for a division of said county, which was referred to the committee on the erection and division of towns and counties.

Mr. Jones, from the committee on claims, to which was referred the petition for that purpose, reported a bill entitled "An act to indemnify William E. Worden and Morgan L. Worden for a deficiency in a lot of land sold by the Surveyor General of the State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act repealing 'An act for the establishment of teachers' institutes,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman presented the annual report of the trustees of the Northern Dispensary of the city of New-York for the year

1852, which was referred to the committee on medical societies and colleges.

In pursuance of previous notice,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act in relation to the Glebe lands in the village of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Huntington gave notice that he would, at an early day, ask leave to introduce a bill to revise, amend and consolidate the several acts relating to the charter of the village of Rome.

Mr. Platt gave notice that he would, at an early day, ask leave to introduce a bill to amend section 24, of chapter 5, title 1, part 2, of the Revised Statutes.

Mr. Jones gave notice that he would, at some future day, ask leave to introduce a bill to amend the act to provide for a supply of water in the village of Newburgh.

Mr. Jones gave notice that he would, at an early day, ask leave to introduce a bill to amend the act entitled "An act to authorise the election of police officers in the village of Newburgh."

In pursuance of previous notice,

Mr. Taber asked for and obtained leave to introduce a bill entitled "An act to allow the Watervliet plank road company to abandon a portion of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Conger offered for the consideration of the Senate the following resolution, to wit:

Resolved, That in addition to the usual number, there be printed an extra number of 1,000 copies of the annual report of the Regents of the University on the condition of the State Cabinet of Natural History, for the use of the said Regents.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Williams,

Resolved, That the petition and papers relative to the amendment of the charter of the village of Dundee, be taken from the files of the Senate and referred to the committee on the incorporation of cities and villages.

Mr. Beekman moved that the resolutions offered by him on the 10th inst. in relation to Francisco and Rosa Madiat, be printed without being referred to the printing committee.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion, leave of absence was granted to Mr. Smith for five days.

On motion of Mr. Babcock,

Resolved, That the petition and papers on the files of the Senate for the amendment of the charter of the Niagara Falls in-

ternational bridge company, be referred to the committee on roads and bridges.

On motion of Mr. Pierce,

Resolved, That the Comptroller be requested to report to this body all expenses thus far upon, or with reference to, the Colonial History, as well of the agent sent to Europe to obtain papers and documents as of the translation of papers in the department or elsewhere relating thereto, and the expense of printing thus far, and all other expenses attendant thereon.

Mr. Vanderbilt, from the joint select committee appointed to revise the joint rules of the Senate and Assembly, reported in writing.

Ordered, That said report be laid upon the table and printed.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to incorporate the ladies' depository of the city of New-York."

After some time spent thereon, Mr. Cooley, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act authorising the Rensselaer county agricultural society to hold real estate for the purposes of said society."

And after some time spent thereon, Mr. Vanderbilt, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorise the addition of another regiment to the militia in the fifth brigade district."

And after some time spent thereon, Mr. McMurray, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorise the union and consolidation of railroad companies."

And after some time spent thereon, Mr. Beekman, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to confirm the title of Sarah Macklin to certain lands in Brooklyn, and to release the right, title and interest of the people of the State of New-York therein."

And after some time spent thereon, Mr. Pierce, from said com-

mittee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bill :

“An act authorising the appraisal and payment of damages to the legal representatives of Henry Baker, sustained by the obstruction of the water of Mill Creek by the Erie canal.”

And after some time spent thereon, Mr. Pierce, from said committee, reported progress, and asked for leave to sit again.

The President announced the question to be on granting leave to sit again ; when,

On motion of Mr. Conger,

Resolved, That the bill for the relief of the representatives of Henry Baker, &c., be recommitted to the committee on claims, for the purpose of such amendments as they may suggest in order to guard an appropriation on the appraisement to be rendered from exceeding the sum which the representatives aforesaid may before said committee make oath to, as the true measure of their damage.

The Senate then resolved itself into a committee of the whole on the following entitled bill :

“An act to authorise a part of the records of the county of Orange to be transcribed and deposited in the clerk’s office of the county of Rockland.”

And after some time spent thereon, Mr. Pierce, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Babcock, from the committee on public printing, to which was referred the resolution to print 2,000 extra copies of the report of the committee appointed to enquire into the cause of railroad accidents, reported in favor of its passage.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

The President presented a communication in the words following, to wit :

TO THE PRESIDENT OF THE SENATE,

Dear Sir—You are respectfully requested to invite the members of the honorable the Senate to attend a public exhibition of the children of the Orphan and Destitute Asylum, at the North Pearl street Baptist Church, this evening, at half past seven o’clock P. M. Tickets of admission at the Clerk’s desk.

Your obedient servant,

JAMES D. WASSON.

President.

In pursuance of previous notice,
Mr. Pierce asked for and obtained leave to introduce a bill

entitled "An act to amend title 6, chapter 7, part 1, of the fourth edition of the Revised Statutes relating to the compensation of officers and other expenses of the Senate and Assembly," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public expenditures.

On motion of Mr. Babcock,

Resolved, That the committee on claims, in the first instance, before proceeding to investigate or decide on a claim, require of all claimants, a statement in writing of their respective claims, specifying each and every item of the claim, and the amount of damage set opposite each item, and the gross amount of such claims. And the said committee are hereby, in addition to such other evidence as they may deem necessary, required to demand from each claimant an affidavit that the said statement is in all respects true, and that such claimant has sustained damage to the amount of such claim; and all bills introduced or reported upon by such committee, shall contain a provision requiring the hearing or adjudication authorised by the bill to be on the account or statement thus presented.

On motion of Mr. Wright,

Resolved, That the petition and papers relating to an appropriation for the improvement of the Ausable river, now on the files of the Senate, be taken therefrom and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Rogers,

Resolved, That a respectful message be sent to the Assembly, requesting that body to transmit to the Senate the papers relating to a bridge across the north branch of the Hudson river in the county of Warren, and that when received they be referred to the committee on roads and bridges.

Mr. McMurray called for the consideration of the following resolutions heretofore offered by him, to wit:

Resolved, That so much of the annual message of his excellency the Governor as relates to the finances of the State, to the canal debt and General Fund debt, and the levying of a State tax, be referred to the committee on finance.

That so much thereof as relates to charges in legal procedure, to terms of imprisonment, and review, by the Supreme Court, of testimony and proceedings in cases of capital conviction, and the subject of manorial titles, be referred to the committee on the judiciary.

That so much thereof as relates to the State Asylum at Utica, the Lunatic Asylum on Blackwell's Island, the establishment of a lunatic asylum in the western part of the State, the Asylum for Idiots, the New-York Institution for the Deaf and Dumb, the Institution for the Blind, and the Houses of Refuge in Rochester and New-York, be referred to the committee on charitable and religious societies.

That so much thereof as relates to colleges, academies, and the condition and progress of the common school system, the State Normal School and departments for the education of common school teachers in academies, for topographical surveys, and the general subject of education and science, be referred to the committee on literature.

That so much thereof as relates to the establishment of schools and colleges for the promotion of agricultural and natural sciences, be referred to the committee on agriculture.

That so much thereof as relates to the establishment of schools and colleges for the promotion of mechanical sciences, be referred to the committee on manufactures.

That so much thereof as relates to the several State prisons of the State, and the employment of convict labor in the same, be referred to the committee on State prisons.

That so much thereof as relates to the militia and public defence, be referred to the committee on the militia and public defence.

That so much thereof as relates to banks, banking institutions, insurance companies, and individual bankers, be referred to the committee on banks and insurance companies.

That so much thereof as relates to railroads and railroad accidents, be referred to the committee on railroads.

That so much thereof as relates the State library, be referred to the joint library committee.

That so much thereof as relates to the commissioners of emigration, be referred to the committee on poor laws.

That so much thereof as relates to the exhibition for the industry of all nations, be referred to the committee on trade and manufactures.

Mr. Conger moved to amend the third resolution, by inserting after the word "New-York," in next to last line, the words "and the relief of destitute children."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McMurray moved to amend the last resolution, by inserting after the word "nations" therein, the words "and the establishment of a system of reciprocal trade with the British Provinces."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree the said resolutions as amended, and it was decided in the affirmative.

On motion of Mr. Jones,

The Senate then adjourned until 11 o'clock to-morrow morning.

TUESDAY, JAN. 18, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wadhams.

The journal of yesterday was read and approved.

Mr. Jones presented the petition of stockholders of the Newburgh and Ellenville plank road company, which was referred to the committee on roads and bridges.

Mr. Williams presented the petition of citizens of the county of Cayuga asking that provision be made by law for the effectual draining of the Cayuga marshes, which was referred to the select committee consisting of Senators from the 20th, 22d, 23d, 24th and 25th districts.

Mr. Munroe presented the petition of inhabitants of Onondaga co. for an appropriation to Oneida conference seminary, which was referred to the committee on literature.

Mr. Bennett, from the committee on roads and bridges, to which was referred the petition for that purpose, reported a bill entitled "An act to authorise the commissioners of highways of the town of Triangle to erect a free bridge across the Tioughnegua," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the petition for that purpose, reported a bill entitled "An act to authorise a change of the location of the clerk's office of Cattaraugus county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A bill was received from the Assembly for concurrence entitled "An act to amend the act entitled 'An act to consolidate and amend the act to incorporate the city of Buffalo, passed April 20, 1832, and the various acts amendatory thereof,' passed April 17, 1843," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence entitled "An act to authorise the trustees of the village of Dansville, Livingston county, to levy a tax to pay a reward offered by said trustees in July, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Taber presented the annual report of the trustees of the State library, which was referred to the joint library committee, and ordered printed.

Mr. Wright presented the annual statement of unclaimed de-

posites and dividends remaining in the Bank of Whitehall, up to Sept. 1, 1852, which was referred to the committee on banks and insurance companies.

Mr. Jones gave notice that he would, at an early day, ask leave to introduce a bill for the better support of the poor of the town of Newburgh.

Mr. Cooley gave notice that he would, at an early day, ask leave to introduce a bill relative to the militia in Richmond county.

In pursuance of previous notice,

Mr. Huntington asked for and obtained leave to introduce a bill entitled "An act amending and consolidating the several acts relating to the charter of the village of Rome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for a supply of water in the village of Newburgh,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to authorise the election of police officers in the town of Newburgh,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Otis gave notice that he would, at an early day, ask leave to introduce a bill to amend the several acts relating to the powers and duties of the commissioners of emigration.

The bill entitled "An act to authorise the addition of another regiment to the militia in the fifth brigade district," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Platt	VanSchoonhoven
Beekman	Davenport	McMurray	Snow	Ward
Bennett	Huntington	Munroe	Taber	Williams
Bristol	Kirby	Otis	Vanderbilt	Wright
Conger				

21

FOR THE NEGATIVE.

Jones

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to

revise, amend and consolidate the several acts in relation to the village of Salem, passed April 16, 1851," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bennett	Huntington	Munroe	Rogers	Ward
Bristol	Kirby	Otis	Snow	Williams
Cooley	McElwain	Platt	Vanderbilt	Wright
Davenport	McMurray			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorising the Rensselaer county agricultural society to hold real estate for the use of said society," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Rogers	VanSchoonhoven
Bartlett	Cooley	Munroe	Snow	Ward
Beekman	Davenport	Otis	Taber	Williams
Bennett	Huntington	Pierce	Vanderbilt	Wright
Bristol	Jones	Platt		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise a part of the records of the county of Orange to be transcribed and deposited in the clerk's office of the county of Rockland," was read a third time and passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	VanSchoonhoven
Bartlett	Cooley	McElwain	Rogers	Ward
Beekman	Davenport	Munroe	Snow	Williams
Bennett	Huntington	Otis	Vanderbilt	Wright
Bristol	Jones	Pierce		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Jones offered for the consideration of the Senate a resolution in the words following, to wit :

Resolved, That the resolution adopted by the Senate on the 17th inst., relating to the manner of considering claims by the committee on claims, &c., as well as the requirements of claimants on presenting their claims, be printed the same as a bill, and placed on the files of Senators.

Mr. Jones moved that said resolution be considered without reference to the printing committee.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the passage of said resolution, and it was decided in the affirmative.

Mr. Pierce offered for the consideration of the Senate a resolution in the words following, to wit:

Resolved, That the judiciary committee be requested to enquire and report whether it is competent for this Legislature to repeal chap. 358 of the laws of the last session, entitled "An act for the relief of John I. Wiles," or so to amend the same as to specify the amount to which the award of the Canal Appraisers shall be limited.

Ordered, That said resolution be laid upon the table.

Mr. Conger offered for the consideration of the Senate the following resolution, to wit:

Resolved, That any law appropriating money from the treasury of the State, or any of its funds, or any of the funds under its management, should distinctly specify the sum appropriated or apportioned, so far forth as relates to the direction to the Treasurer to pay, on the warrant of the Auditor of the Canal Department or the Comptroller, any sum to be awarded or ascertained in pursuance of such law.

Ordered, That said resolution be laid upon the table.

On motion of Mr. Rogers,

Resolved, That the petition and papers relative to the incorporation of the Grand Lodge of the State of New-York, now on the files of Senate, be taken therefrom and referred to the committee on charitable and religious societies.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorise the union and consolidation of railroad companies."

And after some time spent thereon, Mr. Conger, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Pierce,

The Senate adjourned until 11 o'clock, to-morrow morning.

WEDNESDAY, JAN. 19, 1853.

The Senate met pursuant to adjournment.

The Clerk announced to the Senate the absence of the President, the Lieut. Governor.

Mr. Bartlett thereupon offered the following resolution, to wit:

Resolved, That Hon. William McMurray be, and hereby is, appointed President pro tem. of the Senate.

The Clerk put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

The President pro tem., on taking the chair, returned his thanks to the Senate for the honor conferred upon him.

Prayer by the Rev. Mr. Davenport.

The journal of yesterday was read and approved.

Mr. Vanderbilt presented the petition of owners of land in Division Avenue, the dividing line between Brooklyn, Williamsburgh, and Bushwick, for permission to lay a railroad track on said avenue, which was referred to the committee on the incorporation of cities and villages.

Mr. Wright presented the petition of inhabitants of the county of Washington praying for the enlargement of the locks on the Champlain canal, which was referred to the committee on canals.

Mr. Williams presented two petitions of citizens of the county of Tompkins in favor of a law to provide for draining Cayuga marshes, which were referred to the select committee on that subject.

Mr. Conger presented the petition of 210 citizens of Cold Spring for the passage of a law vesting in the trustees of their village the powers of the commissioners of excise, which was referred to the committee on the incorporation of cities and villages.

Mr. Morgan presented the petition of the corporation of the Second-st. Methodist Episcopal church for authority to hold real estate in the town of Newtown, Long Island, for a cemetery, which was referred to the committee on charitable and religious societies.

Mr. Morgan presented the remonstrance of the chamber of commerce against the passage of a law in relation to pilotage in the port of New-York, which was referred to the committee on commerce and navigation.

Mr. Wright presented the petition of Yates co. for an incorporation of the Grand Lodge of the State of New-York, which was referred to the committee on charitable and religious societies.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to prevent injustice in the construction of railways in the city of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition for that purpose, reported a bill entitled "An act to enable Henry K. S. Prichard to assign or release his interest in certain trusts," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to abolish licenses for the sale of strong and spirituous liquors and wines," made an adverse report in writing.

Mr. Babcock moved that said bill and report be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. McMurray, from the committee on finance, to which was referred the bill entitled "An act to provide for certain expenses chargeable upon the Canal Fund," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. McMurray, from the committee on finance, to which was referred the bill entitled "An act to amend the provisions of the Revised Statutes relating to the compensation of constables attending upon the terms of the Supreme Court," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for a supply of water in the village of Newburgh,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to authorise the board of supervisors of the county of Greene to levy a tax on the town of Catskill," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger presented a communication from the Inspectors of State Prisons in relation to their expenditures in certain proceedings against them under the authority of the Governor of the State," which was referred to the committee on claims.

Mr. Williams gave notice that he would, at some future day, ask leave to introduce a bill to amend the general plank road law.

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill authorising the Canal Commissioners to construct and maintain a bridge across the Clark and Skinner canal in the city of Buffalo on the line of Scott street.

In pursuance of previous notice,

Mr. Otis asked for and obtained leave to introduce a bill entitled "An act to amend the several acts relating to the powers and duties of the commissioners of emigration," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act for the better support of the poor in the town of Newburgh in the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on poor laws.

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act to establish a ferry at Fort Montgomery on the Hudson river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Bristol,

Resolved, That a committee of two be appointed to notify his excellency the Governor of the election of the Hon. William McMurray as President pro tem. of the Senate.

The President appointed Mr. Bristol and Mr. Beekman as such committee.

On motion of Mr. Jones,

Resolved, That a committee of two be appointed to notify the honorable the Assembly of the election of the Hon. William McMurray as President pro tem. of the Senate.

The President appointed Mr. Jones and Mr. Newcomb as such committee.

Mr. Pierce offered for the consideration of the Senate a resolution, in the words following, to wit:

Resolved, That 1,000 extra copies of the report of the committee on the internal affairs of towns and counties on the traffic in spirituous liquors, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Pierce offered for the consideration of the Senate a resolution, in the words following, to wit:

Resolved, That 1,000 extra copies of the annual report of the State Prison Inspectors, be printed for the use of the said Inspectors and prisons.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Wright offered for the consideration of the Senate a resolution, in the words following, to wit :

Resolved, That 2,000 extra copies of the report of the Inspectors of State Prisons, be printed for the use of said Inspectors.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Williams,

Resolved, That a respectful message be sent to the Assembly, requesting that the petition and papers relative to the claim of Robert W. McFarren be taken from their files and sent to the Senate, and that when received they be referred to the committee on claims.

On motion of Mr. Vanderbilt,

Resolved, That the petition and papers in relation to the claim of Cyrus P. Dunham, be taken from the files and referred to the committee on claims.

On motion of Mr. Otis,

Resolved, That the bill to amend the several acts of commissioners of emigration, be referred to a select committee.

The President appointed Messrs. Otis, Bartlett and Beekman, as such committee.

Mr. Bristol, from the committee appointed to notify the Governor of the election of President pro tem. of the Senate, reported that they had discharged the duty assigned them.

Mr. Jones, from the committee appointed to notify the Assembly of the election of President pro tem. of the Senate, reported that they had discharged the duty assigned them.

A bill was received from the Assembly for concurrence entitled "An act to authorise the board of supervisors of Oneida county to levy a tax of fifteen hundred dollars for the purpose of completing and furnishing the court house in the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Pierce called for the consideration of the resolution offered by him yesterday in relation to an act passed at the last session of the Legislature, entitled "An act for the relief of John J. Wiles."

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Conger moved that the resolution offered by him yesterday in relation to money to be paid out of the treasury be referred to the judiciary committee.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Beekman called for the consideration of the resolutions heretofore offered by him, in the words following, to wit :

Resolved, (if the Assembly concur,) That the Legislature of the State of New-York have regarded, with deep solicitude and re-

gret, the recent persecutions to which Francisco Madiat, and his wife Rosa Madiat, have been subjected in the kingdom of Tuscany, for the alleged crime of peaceably reading the holy scriptures.

Resolved, (if the Assembly concur,) That the congratulations with which the State of New-York formally, and by public act, hailed, in 1847, the efforts of Pius IX. to ameliorate the condition of the Italian people, and to bestow upon them the incalculable blessings of national independence and constitutional freedom, make eminently proper at this time, as formal and public a remonstrance against cruel and flagrant oppression in the same land.

Resolved, (if the Assembly concur,) That the President of the United States be respectfully requested to exert his best influence with the government of Tuscany to obtain, as a favor asked by a people which welcomes all strangers and protects all religions, permission for the Madiats' and their fellow prisoners for the same offence, to emigrate to this country.

Resolved, (if the Assembly concur,) That a copy of these resolutions be duly authenticated, and forwarded by the Governor to the President of the United States, and to each of the Senators and Representatives in Congress from this State.

Debate was had thereon, when

Mr. Beekman called for the ayes and nays.

The President put the question whether the Senate would agree to the said resolutions, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Newcomb	Taber
Bartlett	Conger	Kirby	Otis	Vanderbilt
Beekman	Cosley	McElwain	Pierce	VanSchoonhoven
Bennett	Davenport	McMurray	Platt	Williams
Bristol	Huntington	Munroe	Snow	Wright 25

Ordered, That the Clerk deliver said resolutions to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorise the laying out and opening of a public highway in the village of Canandaigua, county of Ontario."

And after some time spent thereon, Mr. Wright, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorise the union and consolidation of railroad companies."

And after some time spent thereon, Mr. Beekman, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bill :

“An act to authorise the formation of corporations for building purposes.”

After some time spent thereon, Mr. Snow, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bill :

“An act to indemnify William E. Worden and Morgan L. Worden for a deficiency in a lot of land sold by the Surveyor General of the State.”

And after some time spent thereon, Mr. Platt, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Cooley,

The Senate then adjourned until 11 o'clock to-morrow morning.

THURSDAY, JANUARY 20, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Lambert.

The journal of yesterday was read and approved.

Mr. Wright presented the petition of citizens of the county of Saratoga for an extension of the powers of the Supreme Court in relation to divorce, which was referred to the committee on the judiciary.

Mr. Ward presented the petition of citizens of Randolph, Cattaugus county, for the passage of the Maine law, which was referred to the committee on the internal affairs of towns and counties.

Mr. Jones presented the petition of the trustees and water commissioners of the village of Newburgh for an alteration of the act supplying said village with water, which was referred to the committee on the incorporation of cities and villages.

Mr. Ward presented the petition of 105 ladies of Randolph, Cattaugus co., for the Maine law, which was referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Cooley asked for and obtained leave to introduce a bill en-

titled "An act in relation to the militia in Richmond co., which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act to authorise the building of a bridge over the Clark and Skinner canal at Scott street in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act to facilitate the proof of the payment of debts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Newcomb,

Resolved, That the petition and papers presented by the survivors of the veteran corps of the war of 1812, '13 and '14, during the last session, be taken from the files of the Senate and referred to the committee on the militia.

On motion of Mr. Jones,

Resolved, That the bill for amending the act to provide a supply of water in the village of Newburgh, reported on the 19th inst. by the committee on the incorporation of cities and villages, be recommitted to the said committee for providing for an additional amendment.

On motion of Mr. Bennett,

Resolved, That a respectful message be sent to the honorable the Assembly, requesting that the papers now on their files relating to the claim of Christina Vebber for relief, be transmitted to the Senate, and that when received, they be referred to the committee on the judiciary.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to incorporate the ladies' depository of the city of New-York."

And after some time spent thereon, Mr. Cooley, from said committee, reported in favor of the passage of the same with amendments, which amendments were agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorise the union and consolidation of railroad companies."

And after some time spent thereon, Mr. Vanderbilt, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to indemnify William E. Worden and Morgan L. Worden for a deficiency in a lot of land sold by the Surveyor General of the State."

And after some time spent thereon, Mr. Platt, from said committee, reported in favor of the passage of the same with amendments.

Mr. Babcock moved that said report be laid upon the table.

Mr. Huntington called for the ayes and nays.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.					
Babcock	McMurray	Newcomb	Pierce	Vanderbilt	6
Beekman					
FOR THE NEGATIVE.					
Bennett	Conger	Kirby	Otis	Ward	12
Bristol	Davenport	McElwain	Snow	Williams	
Clark	Jones				

On motion of Mr. Williams,
The Senate adjourned until 11 o'clock, to-morrow morning.

FRIDAY, JANUARY 21, 1853.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Beekman presented the petition and remonstrance of Jacob Sharp, president of the Broadway railroad association, which was referred to the committee on railroads.

Mr. Taber presented the petition of ladies of Triangle; also of 58 inhabitants of Warren co.; also of 200 inhabitants of the towns of Triangle and Upper Lisle, for a law to prohibit the sale of intoxicating drinks, which were severally referred to the committee on the internal affairs of towns and counties.

Mr. Taber presented a memorial of the Albany guardian society and home for the friendless, which was referred to the committee on charitable and religious societies.

Mr. Morgan presented the remonstrance of underwriters, merchants and ship owners, against the passage of any law to regulate pilotage in the port of New-York, which was referred to the committee on commerce and navigation.

Mr. Williams presented the petition of citizens of the county of Tompkins in favor of a law to provide for draining Cayuga marshes, which was referred to the select committee on that subject.

Mr. Munroe presented six petitions, containing the names of 740 inhabitants of Madison co. for the passage of the Maine or a similar law, which were referred to the committee on the internal affairs of towns and counties.

The President presented a communication in the words following, to wit :

To the Hon. the SENATE,
Of the State of New-York.

The temperance women respectfully invite you to be present at the Assembly Chamber this evening, at 7 o'clock, to listen to an appeal in behalf of the women of the State.

SUSAN B. ANTHONY.

Friday, Jan. 21, 1853.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled "An act to amend the act entitled 'An act to consolidate and amend the act to incorporate the city of Buffalo, passed April 20, 1832, and the various acts amendatory thereof,' passed April 17, 1843," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill from the Assembly entitled "An act to authorise the trustees of the village of Dansville, Livingston county, to levy a tax to pay a reward offered by said trustees," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act to enable the trustees of Newburgh academy to sell lands, &c., reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

In pursuance of a resolution heretofore adopted,

Mr. Bartlett, from the committee on railroads, reported a bill entitled "An act to provide for the better supervision and regulation of railroads," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Platt, from the committee on commerce and navigation, to which was referred the petition for that purpose, reported a bill entitled "An act to establish a ferry across the Hudson river between the village of Castleton, in the county of Rensselaer, and the town of Bethlehem, in the county of Albany," which

was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the petitions for that purpose, reported a bill entitled "An act for the relief of consolidated school district No. 7, in the town of Sherburne, county of Chenango, and of No. 10 in the village of Warsaw," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following bill:

"An act to incorporate the ladies' depository of New-York."

Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the resolution offered by Mr. Pierce on the 18th inst. in relation to the claim of John J. Wiles, reported in writing, which report and resolution were referred to the committee on claims.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the bill from the Assembly entitled "An act to authorise the board of supervisor of Oneida county to levy a tax of fifteen hundred dollars for the purpose of completing and furnishing the court house in the city of Utica," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt called for the consideration of the select committee appointed to revise the joint rules of the Senate and Assembly.

Mr. Platt moved to add two additional rules, in the words following, to wit:

19th. The supply bill shall be introduced and finally acted on in each House at least five days before the close of the session.

20th. No new bill shall be introduced in either House during the last five days of the session.

Mr. Pierce moved to amend said 19th rule, by inserting after the words "supply bill," the words "and the annual appropriation bill."

Mr. Platt accepted the said amendment.

Mr. Munroe moved to substitute the following for the 19th rule as amended:

19th. The supply bill and annual appropriation bill shall be reported by the 15th day of March, and printed immediately thereafter, and made the special order on the 25th day of March next.

Mr. Platt accepted the said substitute.

The President put the question whether the Senate would agree to the said 19th rule, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said 20th rule, and it was decided in the negative.

Mr. Babcock moved to strike out all of the last line in the 10th joint rule in the printed document except the word "corporations."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

The word "receded," in the sixth rule, was stricken out, and the word "receding" substituted therefor.

Mr. Taber moved to strike out of the 9th joint rule from the words "except as herein provided" down to the words "to lie on the table," inclusive, and insert in lieu thereof the words "unless this order of business shall in either House, by the vote of a majority of all the members elected to the same, be suspended, or laid on the table."

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock moved to insert in the 13th joint rule, after the word "Legislature," the words "all orders for printing more than two thousand extra copies of any document."

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Babcock moved to add, at the end of the 12th joint rule, the words "but either House may, by resolution, direct that any report or communication made to it, in pursuance of law, shall be excepted from the requirement to print under this rule."

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then announced the question to be on agreeing to the report of the committee as amended.

The President then put the question whether the Senate would agree to the said report as amended, and it was decided in the affirmative.

Mr. Pierce gave notice that he would, to-morrow, ask leave to introduce a bill to provide for the expense of carpeting the Senate Chamber, &c.

Mr. McElwain gave notice that he would, at an early day, ask leave to introduce a bill to extend the time for the collecting of taxes in the town of Orangeville, Wyoming county.

Mr. Munroe gave notice that he would, at an early day, ask leave to introduce a bill to provide for the instruction of teachers of common schools.

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the village of Dundee.

Mr. Snow gave notice that he would, at an early day, ask leave to introduce a bill to amend "An act to incorporate the Montgomery county mutual insurance company," passed March 30, 1836.

Mr. McMurray gave notice that he would, at an early day, ask leave to introduce a bill to enable the supervisors of the city and county of New-York to raise money by tax on the real and personal property of said city and county.

Mr. Pierce gave notice that he would, at an early day, ask leave to introduce a bill to establish ferries by a general act.

Mr. Rogers offered for the consideration of the Senate the following resolution, to wit:

Resolved, That when the Senate adjourns it adjourn over to Monday next.

Mr. Babcock called for the ayes and nays.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bennett Cong'r	McMurray Rogers	Snow	VanSchoonhoven	Wright	7
-------------------	--------------------	------	----------------	--------	---

FOR THE NEGATIVE.

Babcock	Cooley	Jones	Pierce	Upham	
Bristol	Davenport	Kirby	Platt	Vanderbilt	
Clark	Huntington	Newcomb	Taber	Williams	15

Mr. Kirby offered for the consideration of the Senate a resolution in the words following, to wit:

Resolved, (if the Assembly concur,) That the Governor be authorised to appoint two commissioners, whose duty it shall be, in connection with the Adjutant General, to codify, amend and alter the military laws of the State, (except the act relative to the first division,) so as to embody them in one act, properly divided and subdivided into appropriate chapters and sections, so that the same may be easily construed and understood; such commissioners to be restricted in their amendments merely to the details, and not to the general principles of the present law.

Ordered, That said resolution be laid upon the table.

On motion of Mr. Munroe,

Resolved, That the bill entitled "An act to incorporate the Atlantic and Pacific railroad company," be taken from the committee of the whole and referred back to the committee on railroads for amendment.

On motion of Mr. Conger,

Resolved, That the bill reported on by the committee on literature in the matter of school districts in the town of Sherburne and village of Warsaw, be referred back to said committee.

On motion of Mr. Bartlett,

Resolved, That a respectful message be sent to the honorable the Assembly, requesting that body to transmit to the Senate all

the papers on file with the Clerk of the Assembly relating to the claim of Marcus Brown. Also that a respectful message be sent to the Secretary of State, requesting that the petition and all papers on file relative to the claim of Conradt Brown and Marcus Brown be transmitted to the Senate, and that they be referred to the committee on claims. Also that the printed documents of the Senate and Assembly in which the testimony in the claim of Marcus Brown is contained, be used by the committee in the place of the original papers that have been lost, or cannot be found, the same as the original affidavits that have been on file; and also if any papers are on file relative to the claim of Marcus Brown, they be referred to the committee on claims.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorise the laying out and opening of a public highway in the village of Canandaigua, county of Ontario."

And after some time spent thereon, Mr. Wright, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorise the union and consolidation of railroad companies."

And after some time spent thereon, Mr. Bartlett, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorise a change of the location of the clerk's office in Cattaraugus county."

And after some time spent thereon, Mr. Conger, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Wright moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

On motion of Mr. VanSchoonhoven,

The Senate then returned to the second order of business.

Mr. Van Schoonhoven, from the committee on poor laws, to which was referred the bill entitled "An act for the better support of the poor in the town of Newburgh," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act to obtain more full and complete returns of personal property to the assessors of the several cities, towns and

wards in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act in relation to the taxation of real estate and of mortgages thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Otis moved that when the Senate adjourns it adjourn until Monday next.

The President decided said motion to be out of order.

Mr. Davenport then moved to reconsider the vote previously taken on the question of adjourning until Monday.

The President put the question whether the Senate would agree to the said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Clark	Jones	Munroe	Otis	Snow	
Conger	McElwain	Newcomb	Rogers	Wright	
Davenport					11

FOR THE NEGATIVE.

Babcock	Huntington	Platt	Upham	Vanderbilt	
Bristol	McMurray				7

Mr. Otis then moved that the Senate adjourn till Monday next, at 11 A. M.

Debate was had thereon, when

Mr. Otis withdrew said motion.

Mr. Wright renewed said motion.

The President announced the question to be on the original resolution offered by Mr. Rogers, and subsequently reconsidered.

The ayes and nays being called,

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Clark	Jones	Newcomb	Snow	Wright	
Davenport	Munroe	Rogers			8

FOR THE NEGATIVE.

Babcock	Conger	McMurray	Upham	Vanderbilt	
Bristol	Huntington	Platt			8

Mr. Babcock offered for the consideration of the Senate the following preambles and resolution, to wit:

Whereas, Congress, by grants of lands to the states of Illinois, Missouri and Alabama, to aid in the construction of certain railroads in those states, has established the precedent of making

such grants for the purpose of constructing, through the public domain, such lines of railroads as are of national, rather than of local interest:

And whereas, Upon the south shore of Lake Superior there are numerous and rich mines of iron and copper, which are now sought to be worked by citizens of this and various other states, and which mines are of great national interest, and of as much interest to this and other of the United States as to the State of Michigan:

And whereas, Owing to the short period in the year of the navigation of Lake Superior, and which is an ever dangerous one, there is no access to those mines for business purposes for the greater portion of the year:

And whereas, It is represented to be nearly a continuous wilderness of government land from Pontiac, in the State of Michigan, to Lake Michigan, in the county of Mason, in the State of Michigan, and from the opposite shore of said lake, at or near Manitowoc, in Wisconsin, to Lake Superior, and which is not of an inviting soil or climate to emigrants, and may not therefore be expected to be settled for a long time, unless there is opened through it some public avenue to market:

And whereas, The State of Michigan is so separated into two divisions by the Straits of Mackinaw and the adjacent waters, as to debar the citizens of the upper division of the State from personal, business or official intercourse with those of the Peninsula of Michigan for nearly seven months of the year:

And whereas, This situation of the State of Michigan was occasioned through the action of Congress upon her admission into the Union, against her wishes, on the settlement of the boundary between her and Ohio, it is due to Michigan that she be relieved, so far as practicable, from this embarrassment; therefore be it

Resolved, (if the Assembly concur,) That our Senators in Congress be requested, and our Members in the House of Representatives be requested, to use their endeavors to procure the passage of a law by Congress granting lands to aid in the construction of a railroad from Pontiac, the termination of the Detroit and Pontiac railroad, to the shore of Lake Michigan, in the county Mason in the State of Michigan, and from the opposite and Wisconsin side of said lake, at or near Manitowoc in Wisconsin, to Kewana Point upon Lake Superior, with a branch to the Outanagou river, and also a branch to the vicinity of Iron Bay.

Ordered, That said resolution be laid upon the table.

On motion of Mr. Snow,

The Senate then adjourned until 11 o'clock to-morrow morning.

SATURDAY, JAN. 22, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Doran.

The journal of yesterday was read and approved.

Mr. Cooley presented the petition of the Staten Island railroad company for authority to run steam ferry boats, &c., which was referred to the committee on commerce and navigation.

Mr. Upham presented the petition of inhabitants of the counties of Genesee and Erie asking for the passage of a law applying highway work to repairs on the Batavia and Buffalo plank road, which was referred to the committee on roads and bridges.

Mr. Babcock presented the petition of citizens of Buffalo for a law authorising the building of bridges over the Clark and Skinner canal in the city of Buffalo, on Perry and Scott streets, which was referred to the committee on canals.

Mr. Williams presented the petition of Moses Davenport, and 200 other citizens of the county of Tompkins, for a law to provide for draining Cayuga marshes, which was referred to the select committee on that subject.

Mr. Beekman presented the memorial of the Liberia Agricultural association, by Abraham Caldwell, agent, praying for a grant of \$2,000, which was referred to the committee on charitable and religious societies.

Mr. Babcock, from the committee on public printing, to which was referred a resolution for printing 1,000 extra copies of the report of the committee on the internal affairs of towns and counties on the traffic in spirituous liquors, reported in favor of the passage of the same.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Babcock, from the committee on public printing, to which was referred a resolution for printing 1,000 extra copies of the annual report of the Regents of the University on the condition of the State Cabinet of Natural History, &c., reported in favor of the passage of the same.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to amend an act relating to the New York and Harlem railroad company, passed May 7, 1840, and the acts amending the same," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was

referred the petition and remonstrance of Jacob Sharp, president of the Broadway railroad association, reported the following resolution, to wit:

Resolved, That the petition of Jacob Sharp in behalf of the Broadway Railway association, praying for a full and searching enquiry into any charge or insinuation that may be made tending to impeach the purity and integrity of the proceedings of their association, or of the common council in reference to the grant of such permission, be granted, and that a committee of three be appointed for that purpose, and that said committee have power to send for persons and papers.

Debate was had thereon, when

Mr. Cooley moved to lay said resolution on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Munroe, from the committee on railroads, to which was recommitted the bill entitled "An act to incorporate the Atlantic and Pacific railroad company," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was recommitted the bill entitled "An act for the relief of consolidated school district No. 7, in the town of Sherburne, county of Chenango," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

A report was received from the State Engineer and Surveyor in answer to a resolution of the Senate of April 16, 1852, which was referred to the committee on finance and ordered printed.

(See Senate Doc. No. 18.)

Mr. Jones gave notice that he would, at an early day, ask leave to introduce a bill to amend the modified act in relation to the village of Newburgh, which was passed May 25, 1836.

In pursuance of previous notice,

Mr. McMurray asked for and obtained leave to introduce a bill entitled "An act to enable the supervisors of the city and county of New-York to raise money by tax," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts.

In pursuance of previous notice,

Mr. Williams asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Dundee,' passed March 17, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Newcomb gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act for the relief of the survivors and widows of those deceased in the war of 1812."

In pursuance of previous notice,

Mr. Snow asked for and obtained leave to introduce a bill entitled "An act to amend 'An act to incorporate the Montgomery county mutual insurance company,' passed March 30, 1836," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. McElwain asked for and obtained leave to introduce a bill entitled "An act to extend the time for the collecting of taxes in the town of Orangeville, Wyoming county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Conger gave notice that he would, at an early day, ask leave to introduce the following entitled bills:

"An act authorising Willet Secor to establish a ferry across Long Island Sound from New Rochelle to Glen Cove."

"An act to renew the charter of the State road from the Orange turnpike to Nyack."

"An act to restore papers, books and land warrants throughout the State, and deposit the same in the county office of record in each county."

Mr. Vanderbilt gave notice that he would, at an early day, ask leave to introduce a bill to amend the act entitled "An act for the incorporation of companies formed to navigate the ocean by steamships," so as to extend the same to ships or vessels using caloric engines.

Mr. Bristol gave notice that he would, at an early day, ask leave to introduce a bill to authorise the superintendent of common schools of the town of Homer, Cortland county, to sell and convey the public school lands of said town.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill relative to libel suits against the publishers and proprietors of public newspapers.

In pursuance of previous notice,

Mr. Otis asked for and obtained leave to introduce a bill entitled "An act to provide for the payment of certain expenses of the Senate Chamber," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public expenditures.

A bill was received from the Assembly for concurrence entitled "An act to change the name of John E. Eggleston to John E. Lowden," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to extend the time for the collecting of taxes in all the towns of the counties of Suffolk, Yates, Richmond, Dutchess, Niagara, Essex, Madison, Otsego and Albany, except the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence entitled "An act to amend the charter of the Oxford fire company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Vanderbilt gave notice that he would, at an early day, ask leave to introduce a bill providing for the immediate and speedy enlargement of the Erie, Genesee Valley and Black River canals, the said bill to provide for the erection of a State stock, reimbursable from the surplus revenues of the canals without imposing a tax on the people of this State, and shall propose in said bill or otherwise, that the Constitution of this State be amended so as to enable the Legislature to create such stock, reimbursable as aforesaid; and shall further propose such amendments to the Constitution as shall insure the immediate completion of the great and important objects herein referred to.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to authorise a change of the location of the clerk's office in Cattaraugus county."

"An act to authorise the laying out and opening of a public highway in the village of Canandaigua, county of Ontario."

Ordered, That said bills do have their third reading.

The bill entitled "An act to authorise a change of the location of the clerk's office in Cattaraugus county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beekman	Conger	Kirby	Otis	VanSchoonhoven
Bennett	Coolley	McElwain	Platt	Ward
Bristol	Huntington	Munroe	Upham	Williams
Clark	Jones	Newcomb	Vanderbilt	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the laying out and opening of a public highway in the village of Canandaigua," was read a third time.

The President put the question whether the Senate would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members elected to the Senate being present on the final passage thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Kirby	Otis	Vanderbilt
Beekman	Conger	McElwain	Platt	VanSchoenhoven
Bennett	Cooley	Munroe	Snow	Ward
Bristol	Huntington	Newcomb	Upham	Williams. 20

FOR THE NEGATIVE.

Jones

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Beekman,

Resolved, That the bill entitled "An act for the formation of library companies," with the papers relating to the same, introduced at the last session, be taken from the files of the Senate and referred to the committee on literature.

On motion of Mr. Platt,

Resolved, That the petition and papers relating to a change in the law concerning common schools in the city of Oswego, be taken from the files of the Senate and referred to the committee on the incorporation of cities and villages.

Mr. Babcock called for the consideration of the report of the committee of the whole on the bill entitled "An act to indemnify William E. Worden and Morgan L. Worden for a deficiency in a lot of land sold by the Surveyor General of the State."

The President announced the question to be on agreeing with the report of the committee of the whole.

Debate was had thereon, when

Without taking any question,

On motion of Mr. Conger,

The Senate then adjourned until 11 o'clock Monday morning.

MONDAY, JAN. 24, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Farr.

The journal of Saturday was read and approved.

Mr. Clark presented the petition of 230 ladies of Ontario co.; also the petition of 224 legal voters of Ontario co., asking the

passage of a law prohibiting the sale of intoxicating drinks as a beverage, which were referred to the committee on the internal affairs of towns and counties.

Mr. Bristol presented the petition of Edward Murray for pay for work done in constructing locks at Whitehall, which was referred to the committee on claims.

Mr. Conger presented the petition of the Chemung co. educational association for an appropriation to teachers' institutes, which was referred to the committee on literature.

Mr. Snow presented the petitions of the following persons for relief: A. N. Van Alstyne, John J. Culver, Delavan Corey, A. P. Settle, P. C. Anthony, Goshen P. Van Alstyne, and William Adams, which were referred to the committee on claims.

Mr. Babcock presented the petition of 490 citizens of Buffalo for a law limiting conveyances to persons in ecclesiastical offices, which was referred to the committee on the judiciary.

Mr. Jones presented a statement of the expenses of the Prison Inspectors, which was referred to the committee on claims.

Mr. Snow presented two several petitions of Charles Sacia and Charles Barnes for relief, which were referred to the committee on claims.

Mr. Snow presented the petition of M. L. Hovy for damages caused by a flood at Canajoharie, which was referred to the committee on claims.

Mr. Jones presented the petition of inhabitants residing on German Patent within the corporation of Newburgh for a law authorising commutation for glebe rent, which was referred to the committee on the judiciary.

Mr. Jones, from the committee on claims, to which was referred the petition of David Hulse and Jonathan O. Dunning for a law requiring the supervisors of Sullivan co. to allow the balance of their claim against said county, asked to be discharged from the further consideration thereof, and that the same be referred to the committee on grievances.

The President put the question whether the Senate would agree to the said request, and it was decided in the affirmative.

Mr. Otis, from the committee on manufactures, to which was referred the bill entitled "An act for the protection of pattern makers, and to prevent the use of castings as patterns for other castings," asked to be discharged from the further consideration thereof and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to the said request, and it was decided in the affirmative.

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act to provide for the distribution of the standard works of American authors among the libraries of district schools," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

A message from the Assembly was received and read, requesting the Senate to transmit to that body the papers relative to making a separate road district of the village of Vernon, Oneida county.

Mr. Upham presented a communication from the Canal Appraisers transmitting their annual report, which was referred to the committee on canals.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act in relation to libellous publications in newspapers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act authorising Willett Secor to establish a ferry across Long Island Sound from New Rochelle to Glen Cove," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to renew the charter of the State road from the Orange turnpike to Nyack," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to restore papers, books and land warrants throughout the State, and deposit the same in the county office of records," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Cold Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Munroe asked for and obtained leave to introduce a bill entitled "An act to provide for the instruction of common school teachers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Snow gave notice that he would, at an early day, ask leave to introduce a bill to extend the time for the collection of taxes in the several towns in Montgomery county.

Mr. Conger gave notice that he would, at an early day, ask leave to introduce a bill authorizing a loan to expedite the completion of the Erie canal enlargement, and at the same time will submit a joint resolution proposing amendments to the Constitution, supplementary to the plan proposed in said bill.

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce an act limiting the effect of conveyances and devises to ecclesiastical officers by their title of office or otherwise.

Mr. Otis gave notice that he would, at some future day, bring in a bill to amend the Catskill and Oak Hill ferry act.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill to amend an act entitled "An act relative to the powers of the common council of the city of New-York, and the police and criminal courts of said city, passed January 23, 1833."

On motion of Mr Huntington,

Resolved, That the petition and papers on the files of the Senate with reference to the claim of Albert and Franklin J. Patten, be taken therefrom and referred to the committee on claims.

The Senate then resolved itself into a committee of the whole on the following entitled bill :

"An act relative to savings banks or institutions for savings."

And after some time spent thereon, Mr. Clark, from said committee, reported progress, and asked for and obtained leave to sit again.

A message from the Governor was received and read, transmitting the annual report of the Adjutant General, which was read and referred to the committee on militia and public defence.

On motion of Mr. Wright,

The Senate then adjourned until 11 o'clock to-morrow morning.

TUESDAY, JAN. 25, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Huntington.

The journal of yesterday was read and approved.

Mr. Williams presented the petition of J. Kendall and sundry other citizens of the county of Tompkins, for a law to provide

for draining Cayuga marshes, which was referred to a select committee on that subject.

Mr. Pierce presented the petition of Thomas L. Johnson, collector of the town of Kingston, to extend his time to collect his tax roll, which was referred to the committee on the internal affairs of towns and counties.

Mr. Pierce presented a remonstrance against a bill for the Catskill bridge, which was committed to the committee of the whole.

Mr. Vanderbilt presented the petition of Alexander Seignette, praying for authority to purchase, hold and convey real estate in like manner as if he were a naturalized citizen of the United States, which was referred to the committee on the judiciary.

Mr. McMurray presented the petition of Robert C. Morris, asking redress from a sentence of a military court, whereby he has been deprived of his office as Colonel of the 11th regiment of the New-York State militia, which was referred to the committee on militia and public defence.

Mr. Jones presented the petition of inhabitants of Newburgh, residing on the German patent, asking authority to commute globe rents, which was referred to the committee on the judiciary.

Mr. Cooley, from the committee on commerce and navigation, to which was referred the petition and papers relative to the Staten Island railroad company, reported, and asked and obtained leave to bring in a bill entitled "An act to authorize the Staten Island railroad company to own and run steam ferry boats," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the petition and resolution of voters in school district number one, in the town of Seneca, Ontario county, reported, and asked and obtained leave to bring in a bill entitled "An act in relation to school district number one in the town of Seneca, and county of Ontario," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in the towns of the counties of Suffolk, Yates, Richmond, Dutchess, Niagara, Essex, Erie, Madison, Otsego and Albany, except the city of Albany," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Davanport, from the committee on public expenditures, to which was referred the bill entitled "An act to provide for the payment of certain expenses of the Senate chamber," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the charter of the Oxford fire company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Pierce, from the committee on public printing, to which was referred the bill entitled "An act repealing chapter 175, Laws of 1849, relating to the publication of the Colonial History of the State," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

In pursuance of previous notice,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act,' passed May 25, 1836," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act to prevent grants or devises to ecclesiastical officers from vesting in their successors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act relative to the powers of the common council of the city of New-York, and the police and criminal courts of said city,' passed January 23, 1833," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Munroe gave notice that he would, at an early day, ask leave to introduce a bill to amend chapter 324, of the Session Laws of 1850, relative to the preservation of the public health.

Mr. Van Schoonhoven gave notice that he would, at an early day, ask leave of the Senate to introduce a bill providing for the relief of the "Union bank of Troy."

The bill entitled "An act to confirm the title of Sarah Machlin to certain lands in Brooklyn, and to release the right, title and interest of the people of the State of New-York thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock
Beekman

Cooley
Cornell

McElwain
McMurray

Otis
Platt

Vanderbilt
VanSchoonhoven

Bristol
Clark
Conger

Davenport
Huntington
Jones

Morgan
Munroe
Newcomb

Taber
Upham

Ward
Williams

23

FOR THE NEGATIVE.

Wright

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Munroe offered for the consideration of the Senate a resolution, in the words following, to wit:

Resolved, That the bill reported and placed on the general orders No. 1, for the incorporation of the Atlantic and Pacific railroad company, and which was subsequently recommitted for amendment, be restored to its original place on the general orders.

Debate was had thereon, when

Mr. Upham moved to strike out all after the word "amendment" in said resolution, and insert as follows, "be made the special order for Friday next at 12 o'clock."

Mr. Munroe accepted of said amendment.

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

On motion of Mr. Taber,

Resolved, That the Senate do now go into committee of the whole on the bill entitled "An act to prevent injustice in the construction of railways in the city of New-York."

The Senate then resolved itself into a committee of the whole on said bill.

After some time spent thereon, Mr. Williams, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. McElwain,

The Senate then adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, JAN. 26, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Farr.

The journal of yesterday was read and approved.

Mr. Taber presented the petition of C. Swackhammer, that the bill to prevent injustice in the construction of railways in the city of New-York, be extended to the city of Williamsburgh, which was committed to the committee of the whole.

Mr. Clark presented the petition of 57 citizens of Livingston co. for the passage of a law prohibiting the sale of intoxicating

drinks as a beverage, which was referred to the committee on the internal affairs of towns and counties.

Mr. Van Schoonhoven presented the petition of citizens of Troy and vicinity, asking the passage of an act to incorporate the grand lodge of the ancient and honorable fraternity of free and accepted masons of the State of New-York, which was referred to the committee on charitable and religious societies.

Mr. Beach presented the petition of 100 inhabitants of the county of Cayuga, in favor of draining Cayuga marshes, which was read and referred to a select committee on that subject.

Mr. Snow presented five several petitions of William D. Clark, Lewis Frotier, John Kesler, D. Wiles, Constan Brown, which was referred to the committee on claims.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to amend an act to incorporate the Montgomery county mutual insurance company, passed March 30th, 1836," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act amending and consolidating the several acts relating to the charter of the village of Rome," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, reported a bill entitled "An act to amend the act in relation to the partition of lands," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Platt, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act to prevent grants or devises to ecclesiastical officers from vesting in their successors," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of A. Cornwall for compensation as informant of escheated lands in Delaware county, reported, and asked and obtained leave to introduce a bill entitled "An act authorising the payment of a sum of money to Augustus Cornwall for giving information of an escheat," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act to facilitate the proof of the payment of debts," reported in favor of the passage of the same without amendment which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act relative to the powers of the common council of the city of New-York, and the police and criminal courts of said city,' passed January 28, 1832," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the act entitled 'An act to authorise the election of police officers in the town of Newburgh,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

A message was received from the Assembly informing, that they had concurred in the joint rules of the Senate and Assembly as amended and passed previously by the Senate.

Also, announcing the passage of the joint resolutions of the Senate, in relation to Francisco and Rosa Madiai, without amendment.

Mr. Babcock presented the annual report of the Buffalo Trust Company for 1853, which was referred to the committee on banks and insurance companies.

A communication was received from the Sergeant-at-arms of the Senate in the words following, to wit:

To Hon. WM. McMURRAY,

President pro tem. of the Senate:

The undersigned, in pursuance of a resolution of the Senate in relation to the disposition of books taken by Senators from the Senate library, begs leave to report, that an account of the books taken by each Senator at the last session, was accurately kept as he believes. That at the close of the last session he personally and with assistants, visited the rooms then lately occupied by Senators and members of Assembly in each hotel and private boarding house of the city where any of the Senators boarded, and collected such books as found, and returned them to the Senate library.

In several instances the undersigned found that the librarian to the Assembly had preceded him in the search, and had taken books belonging to the Senate library. And also, that during the search, books belonging to the Senate library, in several instances, were found in the rooms occupied by members of the Assembly, although no such books had been taken by such members of Assembly from the Senate library. All the books that could thus be found, after several days of diligent search, were returned to

the library ; and those which have been since discovered as having been overlooked in the search, have been returned to the Senate library.

And the undersigned begs leave further to state, that some person unbeknown and without the assent or knowledge of the undersigned, and during the recess, professed to have arranged the books in the library ; which arrangement the undersigned supposed to have been sufficiently perfected before he left the capitol ; and which he would have more thoroughly adjusted on the opening of the present session, if such further adjustment had been found, on careful revision, necessary.

And the undersigned would respectfully suggest, that he would be enabled to keep his blotter (on which books, as taken from the library by Senators, are entered), more correctly, if when the books were returned from time to time during the session, the members of the Senate taking them would have their names at the desk of the undersigned, with the volumes which may have been charged against them.

All of which is respectfully submitted,

CHARLES LEE,

Sergeant-at-Arms of Senate.

Mr. Cooley gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the United States Trust Company of New-York.

Mr. Taber gave notice that he would, at some future day, ask leave to bring in a bill to amend the existing laws relative to bribery of public officers.

In pursuance of previous notice,

Mr. Otis asked for and obtained leave to introduce a bill entitled "An act supplementary to the act entitled 'An act granting to Henry Van Gorden the exclusive right to ferry, &c,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice,

Mr. Snow asked for and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the several towns in the counties of Montgomery and Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Van Schoonhoven asked for and obtained leave to introduce a bill entitled "An act for the relief of the Union Bank of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Munroe asked for and obtained leave to introduce a bill

entitled "An act to amend an act entitled 'An act for the preservation of the public health,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Morgan,

Resolved, That the petition and papers presented at the last session to enable Thomas Cypriano de Mosquera and Pedro Alcantara Herran to hold real estate, be taken from the files of the Senate and referred to the committee on the judiciary.

Mr. Beekman offered for the consideration of the Senate a resolution, in the words following, to wit:

Resolved, That the use of the Senate chamber be granted this evening to the Scientific Convention, assembled for the purpose of discussing the question of establishing a State university.

Debate was had thereon, when

Mr. Otis called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Cornell	Platt	Upham	Williams	
Clark	McMurray	Snow	Ward	Wright	
Conger	Morgan	Taber			12

FOR THE NEGATIVE.

Babcock	Bristol	McElwain	Pierce	Vanderbilt	
Bartlett	Cooley	Newcomb	Smith	VanSchoonhoven	
Beach	Kirby	Otis			12

Mr. Wright offered for the consideration of the Senate a resolution in the words following, to wit:

Resolved, That the Canal Commissioners be instructed and required to report to the Senate, as early as practicable, the amount of tolls received at all the offices of collection on the Champlain canal, for the year ending January 1, 1853; and also the amount of tonnage employed in such transportation; and further, that said Commissioners, so far as practicable, report the amount of tolls received on goods or the productions imported from the British Provinces in North America, and up bound goods or articles exported to said Provinces.

Ordered, That said resolution be laid upon the table.

On motion of Mr. Snow,

Resolved, That a respectful message be sent to the Assembly requesting that body to transmit the petition and papers on file with the clerk of the Assembly, relative to the claim of Thomas Countryman, and that the said papers and proof of his claim be referred to the committee on claims of the Senate, and that the committee are requested to allow all the proofs that have been taken and used the same as if the persons where now present

before the committee on claims of the Senate; also, the documents of the Senate and Assembly in his case, that have been reported on; he used the same.

On motion of Mr. Bristol,

Resolved, That the Senate now take up the bill reported yesterday, extending the time for the collection of taxes, and consider the same in committee of the whole.

On motion of Mr. Pierce,

Resolved, That the bill entitled "An act to provide for the payment of certain expenses of the Senate chamber," be referred to the committee of the whole.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

Assembly bill, "An act to extend the time for the collection of taxes in all the towns of the counties of Suffolk, Yates, Richmond, Dutchess, Niagara, Essex, Erie, Madison, Otsego and Albany, except the city of Albany."

"An act to provide for the payment of certain expenses of the Senate chamber."

And after some time spent thereon, Mr. Smith, from said committee, reported that they had agreed to the said first mentioned bill with amendments to the title and provisions thereof, and to the second mentioned bill without amendment.

The President put the question whether the Senate would agree to the report of the committee on said first mentioned bill, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee on said second mentioned bill, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

By unanimous consent,

The bill entitled "An act to extend the time for the collection of taxes of one thousand eight hundred and fifty-two," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McMurray	Platt	Upham
Beekman	Davenport	Munroe	Smith	Vanderbilt
Bristol	Huntington	Newcomb	Snow	Ward
Clark	Kirby	Pierce	Taber	Williams
Conger	McElwain			

22

FOR THE NEGATIVE.

Babcock Wright

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Taber offered for the consideration of the Senate, a resolution in the words following, to wit :

Resolved, That the Senate do go into committee of the whole on the bill to prevent injustice in the construction of railways in the city of New-York, immediately after the order of motions and resolutions.

Mr. Cornell moved to lay said resolution on the table.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Davenport	Pierce	Smith	
Bristol	Cornell				7

FOR THE NEGATIVE.

Beckman	Kirby	Newcomb	Snow	Vanderbilt	
Clark	McElwain	Otis	Taber	Ward	
Cooley	McMurray	Platt	Upham	Wright	
Huntington	Munroe				17

On motion of Mr. Wright,

Resolved, That a respectful message be sent to the Assembly, requesting that body to transmit to the Senate the petition and papers relating to supplying the village of Fort Ann with pure and wholesome water, and that the same be referred to the committee on the incorporation of cities and villages.

The Senate then resolved itself into a committee of the whole on the following entitled bill :

"An act to prevent injustice in the construction of railways in the city of New-York."

And after some time spent thereon, Mr. Williams, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Wright moved to adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Beach	Wright	
			3

FOR THE NEGATIVE.

Babcock	Cooley	Kirby	Newcomb	Upham	
Beckman	Cornell	McElwain	Platt	Vanderbilt	
Bristol	Davenport	McMurray	Snow	Williams	
Clark	Huntington	Munroe	Taber		19

The President announced the order of business to be the general orders.

Mr. Babcock moved to lay the same on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Wright moved to adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Beach	Wright	3
----------	-------	--------	---

FOR THE NEGATIVE.

Babcock	Cooley	McElwain	Pierce	Taber	
Beekman	Cornell	McMurray	Platt	Upham	
Bristol	Davenport	Munroe	Smith	Vanderbilt	
Clark	Huntington	Newcomb	Snow	Williams	
Conger	Kirby				22

The President announced the next order of business to be the presentation of petitions, and continued to call the several orders of business through to motions and resolutions, when

Mr. Babcock moved that the Senate take a recess until 4 o'clock, p. m.

Mr. Wright moved to amend, so that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion of Mr. Wright, and it was decided in the negative.

The President then put the question whether the Senate would agree to the said motion of Mr. Babcock, and it was decided in the affirmative.

FOUR O'CLOCK, P. M.

The Senate again met.

Mr. Upham moved that the Senate do now go into committee of the whole on the bill entitled "An act to prevent injustice in the construction of railways in the city of New-York."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on said bill:

And after some time spent thereon, Mr. Williams, from said committee, reported in favor of the passage of said bill with amendments, which report was agreed to.

On motion of Mr. Cooley,

The Senate then adjourned until 11 o'clock to-morrow morning.

THURSDAY, JANUARY 27, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Huntington.

The journal of yesterday was read and approved.

Mr. Snow presented the petition of sundry inhabitants of Canajoharie, praying for a law authorising the Canal Commissioners to build a new bridge across the Canajoharie creek at Canajoharie, which was referred to the committee on claims.

Mr. Williams presented the petition of Charles Monell, of the town of Lansing, and sundry other citizens, asking for a law to provide for draining Cayuga marshes; also, the petition of citizens of the county of Tompkins, on the same subject, which were referred to a select committee on that subject.

Mr. Bartlett presented the petition of C. P. Bartholemew, for an extension of the time to collect taxes in the town of Fulton, Schoharie co. which was referred to the committee on the internal affairs of towns and counties.

Mr. Clark presented the petition of 120 ladies of Bristol, Ontario co., for the passage of a law prohibiting the sale of intoxicating drinks as a beverage, which was referred to the committee on the internal affairs of towns and counties.

Mr. Beach presented the petition of Christopher Morgan, and 75 other citizens of Auburn, praying for an act draining Cayuga marshes, which was referred to a select committee on that subject.

Mr. Clark presented the memorial of Genesee college for an appropriation, which was referred to the committee on finance.

Mr. McMurray presented the petition of officers of the first regiment of N. Y. Volunteers, for the re-organization of that regiment as an independent battalion, which was referred to the committee on militia and public defence.

Mr. Conger presented the petition of John L. O'Sullivan, vice president of the Broadway Railway Association praying for an investigation into the charges respecting the alleged fraud perpetrated in the obtaining of the grant to such association from the common council of the city of New-York, which was laid on the table by consent.

Mr. Beekman presented the petition of Alexander T. Stewart, D. H. Haight and others, relative to railroads in the city of New-York, which was laid on the table by consent.

Mr. Beekman presented the petition of citizens of New-York city, praying for a law prohibiting the N. Y. & Erie railroad from being diverted into the State of New Jersey, which was referred to the committee on railroads.

Mr. Pierce presented the petition of inhabitants of Catskill, for a bridge over the Catskill creek, which was committed to the committee of the whole.

Mr. Vanderbilt presented the petition of Robert Sargeant for the confirmation of sales and conveyances of real estate in the county of Kings, made by Thomas G. Talmage, as law commissioner, which was referred to the committee on the judiciary.

Mr. Newcomb presented the petition of citizens of New-York city, praying for the passage of a law prohibiting the N. Y. & Erie railroad from being diverted into New Jersey, which was referred to the committee on railroads.

Mr. Snow presented the petition of John H. Stafford for relief, which was referred to the committee on claims.

Mr. Kirby presented the petition of Jacob Hinds, late Canal Commissioner, asking for the passage of a law authorising the Canal Board to audit certain expenses incurred by the petitioner in attending upon a legislative committee, which was referred to the committee on claims.

In pursuance of previous notice,

Mr. Cooley asked for and obtained leave to introduce a bill entitled "An act to incorporate the United States Trust Company of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to change the name of John E. Egleston to John E. Lowden," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Platt, from the committee on commerce and navigation, to which was referred the bill entitled "An act authorising Willett Secor to establish a ferry across Long Island Sound, from New Rochelle to Glen Cove," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Kirby, from the committee on militia and public defence, to which was referred the bill entitled "An act relative to the militia in Richmond co.," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

A message from the Assembly was received and read, requesting the Senate to transmit to that body the papers, &c., of Henry Jordan, an Indian, now on file in the Senate.

A bill was received from the Assembly for concurrence entitled "An act to amend an act entitled 'An act to provide for taking the acknowledgment of deeds and other written instruments by persons residing out of the State of New-York,' passed April 7, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence entitled "An act to apply the provisions of an act entitled 'An act to

facilitate the dissolution of manufacturing corporations in the county of Herkimer and to secure the payment of their debts without preference, passed April 16th, 1852,' to the Waterloo Cotton Company at Waterloo, Seneca co." which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

A bill was received from the Assembly for concurrence entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act in relation to the trustees of the Seamans' Fund and Retreat in the city of New-York,' passed April 5, 1848,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence entitled "An act to provide for the education of children of the Indians of the Tonawanda Indian reservation in the county of Genesee," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

Mr Wright gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the widows' and orphans' fund of the Associate Presbyterian church of North America.

Mr. Beach gave notice that he would, at an early day, ask leave to introduce a bill amendatory of the general banking law by increasing the basis of circulation.

Mr. Platt gave notice that he would, at an early day, ask leave to introduce a bill to authorise the city of Oswego to convey certain lots in the market block in said city.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the New-York and Virginia steamship company,' passed April 10, 1850."

Mr. Newcomb, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to provide for the payment of certain expenses of the Senate chamber."

"An act to prevent injustice in the construction of railways in the city of New-York."

Ordered, That said bills do have their third reading.

The bill entitled "An act to provide for the payment of certain expenses of the Senate chamber," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock
Bartlett

Conger
Cooley

McElwain
McMurray

Smith
Snow

VanSchoonhoven
Ward

Beckman	Davenport	Munroe	Taber	Williams	
Bennett	Huntington	Newcomb	Upham	Wright	
Bristol	Kirby	Otis			23

FOR THE NEGATIVE.

Pierce

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to prevent injustice in the construction of railways in the city of New-York," having been read a third time,

Mr. Williams moved that the same be committed to the committee on the judiciary, with instructions that said committee report upon the constitutionality of said bill.

Debate was had thereon, when

Mr. Pierce moved to amend, by committing to a select committee consisting of Senators from N. Y. city, to report thereon.

Debate was had thereon, when

Mr. Wright moved to adjourn.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Morgan	Snow	VanSchoonhoven	Wright	5
-------	--------	------	----------------	--------	---

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Otis	Vanderbilt	
Bartlett	Conger	McMurray	Pierce	Ward	
Beckman	Cooley	Munroe	Upham	Williams	
Bristol	Kirby	Newcomb			18

The President announced the question before the Senate to be on the amendment of Mr. Pierce.

Mr. Williams accepted of said amendment.

The President then announced the question to be on the motion of Mr. Pierce.

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Pierce	Snow	Wright	
Conger	Davenport	Smith	Williams		9

FOR THE NEGATIVE.

Babcock	Clark	McMurray	Otis	Upham	
Beach	Cooley	Morgan	Platt	Vanderbilt	
Beckman	Kirby	Munroe	Taber	Ward	
Bristol	McElwain	Newcomb			18

Mr. Cenger offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the bill be recommitted to the committee on grievances, together with the two petitions on the same subject this day presented, with instructions to institute the investigation prayed for, and to report with all practicable dispatch, and with power to send for persons and papers, &c. ; and that the said committee be further instructed to report on Monday, whether any, and if any, what legislation may be required to prevent any thing being done detrimental to the rights of the city of New-York, pending the judicial investigation already instituted ; and that on the coming in of said report or otherwise, the bill be made the special order immediately thereafter.

Mr. Snow moved that the Senate do now adjourn.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Smith	VanSchoonhoven	Williams	Wright	
Morgan	Snow	Ward			8

FOR THE NEGATIVE.

Babcock	Conger	Huntington	Munroe	Platt	
Bartlett	Cooley	Kirby	Newcomb	Tabor	
Beckman	Cornell	McElwain	Otis	Upham	
Bristol	Davenport	McMurray	Pierce	Vanderbilt	
Clark					21

The President announced the question to be on the resolution of Mr. Conger.

Debate was had thereon, when

On motion of Mr. Cooley,

The Senate then adjourned until 11 o'clock to-morrow morning.

FRIDAY, JANUARY 28, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Farr.

The journal of yesterday was read and approved.

Mr. McMurray presented the petition in the matter of the estate of Eliza W. Cowle, which was referred to the committee on the judiciary.

Mr. Williams presented the petition of Daniel Nichols and 150 others, legal voters of the town of Reading, Steuben co., asking for a law to prohibit the sale of intoxicating drinks, which was referred to the committee on the internal affairs of towns and counties.

Mr. Snow presented the petition of John C. Van Alstyne, Noah T. Fletcher and Isaac J. Quackenbush, for the passage of a law remunerating them for losses sustained by means of an obstruction to a culvert on the Erie canal, Auriesville, which was referred to the committee on claims.

Mr. Snow presented the petition of Jacob Pettibone and Nathaniel Smith, for a law remunerating them for canal damages, which was referred to the committee on claims.

Mr. Williams presented the petition of Margaret Roberts and 175 other ladies of the town of Reading, Steuben co., asking for a law to prohibit the sale of intoxicating drinks, which was referred to the committee on the internal affairs of towns and counties.

Mr. Conger presented the petition of citizens of New-York city, to prevent the diversion of the business of the Erie railroad and a change of its terminus from the State of New-York to the Jersey shore, which was referred to the committee on railroads.

Mr. Bristol, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act to provide for the education of the children of the Indians of the Tonawanda Indian reservation in the county of Greene," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act for the preservation of the public health,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to incorporate the United States Trust Company of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

In pursuance of previous notice,

Mr. Platt asked for and obtained leave to introduce a bill entitled "An act to authorize the city of Oswego to convey by deed certain lots in the market block in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Conger gave notice that he would, at an early day, ask leave to introduce a bill amending the statutes on roads and highways.

Mr. Pierce gave notice that he would, at an early day, ask leave to introduce a bill to repeal the fifty cent military commutation tax; also, to repeal the birth, marriage and death registry act.

In pursuance of previous notice,

Mr. Taber asked for and obtained leave to introduce a bill en-

titled "An act to amend the existing law relative to bribery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the New-York and Virginia steamship company,' passed April 10, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice,

Mr. Wright asked for and obtained leave to introduce a bill entitled "An act to incorporate the widows' and orphans' fund of the Associate Presbyterian church of North America," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The President announced the order of third reading of bills, and the question before the Senate to be on the resolution of Mr. Conger, to recommit the bill entitled "An act to prevent injustice in the construction of railways in the city of New-York," to the committee on grievances.

Mr. Bristol moved to amend, so as to refer said bill to the railroad committee, with instructions to report a substitute amending the general railroad law, so as to forbid the construction of any railroad not already constructed in or across any street, in any city, without the assent of the legislature by special enactment.

Debate was had thereon, when

Mr. Bristol withdrew his said amendment.

Mr. Cooley offered the following amendment, to wit:

Resolved, That the bill entitled "An act to prevent injustice in the construction of railways in the city of New-York," be referred to a select committee to be appointed by the chair, with instruction to report at the earliest day practicable, in favor of making the restrictive provisions of the bill applicable to the cities throughout the State.

Debate was had thereon, when

Mr. Cooley withdrew his said amendment.

Mr. Taber moved to amend, by striking out all after the word "bill," in the said resolution of Mr. Conger, and insert as follows: "be referred to a select committee with instructions to amend as follows, and report the bill complete as thus amended forthwith."

1. Amend by striking out of the title the words "city of New-York," and insert "cities of this state."

2. Strike out of the first line, first section, the words "the city of New-York," and insert "any city in this state."

3. After the word "city," in the fourth line, same section, insert "which railway shall begin and end in such city."

Debate was had thereon, when

The President announced the question to be on the motion of Mr. Taber to amend.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	McMurray	Pierce	Taber
Beach	Cooley	Munroe	Platt	VanSchoonhoven
Beekman	Huntington	Newcomb	Smith	Ward
Bennett	Kirby	Otis	Snow	Wright
Bristol	McElwain			

22

FOR THE NEGATIVE.

Bartlett	Conger	Cornell	Davenport	Morgan	5
----------	--------	---------	-----------	--------	---

The President then put the question on the resolution of Mr. Conger, as amended, and it was decided in the affirmative.

The President then appointed Messrs. Taber, Bartlett and Cooley as such committee.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate to the bill entitled "An act to extend the time for the collection of taxes of one thousand eight hundred and fifty-two."

Ordered, That the Clerk return said bill to the Assembly.

A bill was received from the Assembly for concurrence entitled "An act to provide for the election of a fifth justice of the peace in the town of Potsdam, in the county of St. Lawrence, and for the future election of five justices of the peace in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cornell moved that the Senate do now adjourn.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Davenport	McElwain	Pierce	Williams
Conger	Kirby	Morgan	Upham	Wright
Cornell				

11

FOR THE NEGATIVE.

Babcock	Bristol	McMurray	Platt	Taber
Beach	Clark	Munroe	Smith	VanSchoonhoven
Beekman	Cooley	Newcomb	Snow	Ward
Bennett	Huntington	Otis		

18

Mr. Taber, from the select committee, to which was referred the bill entitled "An act to prevent injustice in the construction of railroads in the city of New-York," with instructions to report certain amendments and the bill complete forthwith, so reported.

Mr. Conger moved to amend said report, by striking out the enacting clause of said bill.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the select committee, and it was decided in the affirmative.

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	Monroe	Smith	Vanderbilt
Beckman	Kirby	Newcomb	Snow	VanSchoonhoven
Bennett	McElwain	Otis	Taber	Ward
Clark	McMurray	Platt	Upham	Wright
Cooley				

21

FOR THE NEGATIVE.

Bartlett	Conger	Davenport	Morgan	Pierce
Bristol	Cornell			

7

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Bennett,

Resolved, That the bill entitled "An act to incorporate the Atlantic and Pacific railroad company," be the special order for to-morrow at 12 o'clock.

On motion of Mr. Upham,

Resolved, That the bill entitled "An act to authorize the union and consolidation of railroad companies," be referred to the same committee of the whole, and be made the special order along with the Atlantic and Pacific railroad bill.

On motion of Mr. Otis,

The Senate then adjourned until 11 o'clock to-morrow morning.

SATURDAY, JANUARY 29, 1883.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Huntington.

The journal of yesterday was read and approved.

Mr. Williams presented two petitions of S. N. Winton and sundry other citizens of the county of Tompkins, asking for a law to provide for the effectual draining of the Cayuga marshes, which were referred to a select committee on that subject.

Mr. Upham presented four several petitions of citizens of the counties of Erie and Genesee, asking for the passage of a law authorising the application of highway work to the Batavia and Buffalo plank road, which were referred to the committee on roads and bridges.

Mr. Jones presented the petition of the board of trustees of the village of Newburgh, to amend an act entitled "An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act," which was referred to the committee on the incorporation of cities and villages.

Mr. Beekman presented the petition of William C. Pickersgill, an alien, praying for an act to enable him to hold and convey real estate, which was referred to the committee on the judiciary.

Mr. Bartlett presented nine several petitions of citizens of the counties of Broome, Delaware and Otsego, praying for a grant for the endowment of a professorship of the natural sciences and agricultural chemistry in the Delaware Institute, which were referred to the committee on literature.

Mr. Morgan presented the petition of the New-York and Montgomery mining company for an alteration of their charter, which was referred to the committee on trade and manufactures.

Mr. Williams presented the petition of E. S. Henwon and 150 others, citizens of the county of Chemung, asking that immediate provision be made to preserve and improve the navigation of the Cayuga and Seneca canal, which was referred to the committee on canals.

Mr. Upham presented a remonstrance of citizens of the village of Niagara Falls, against bridging the Niagara river at that place, which was referred to the committee on roads and bridges.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the widows' and orphans' fund of the Associate Presbyterian church of North America," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the memorial of the Albany Guardian Society, &c., reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of the Albany Industrial Home for the Friendless," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Dundee,' passed March 17, 1851," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities

and villages, to which was referred the petition of citizens of Oswego, reported, and asked and obtained leave to introduce a bill entitled "An act in relation to public schools in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The concurrent resolutions of Mr. Cooley heretofore adopted by the Senate, in relation to the speedy enlargement of the canals, &c., was received back from the Assembly with notice of non-concurrence therein.

Mr. Cooley, in behalf of Mr. Vanderbilt, gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act authorizing the trustees of the Brooklyn female academy to sell and dispose of their real estate;" also, "An act to incorporate the Packer Institute."

Mr. Jones gave notice, that he would, at a future day, ask leave to introduce a bill for an alteration in the act incorporating the Newburgh and Cohecton turnpike road company.

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the village of Ithaca.

Mr. Upham gave notice that he would, at an early day, ask leave to introduce a bill authorizing the New-York and Erie railroad company to consolidate with any one or more railroads of the same gauge and running in connection with said road.

Mr. Upham gave notice that he would, at an early day, ask leave to introduce a bill amending the articles of association of the Farmers' and Mechanics' bank of Genesee.

Mr. Cooley moved that the Senate proceed to the consideration of Mr. Bartlett's resolution, asking for the appointment of a committee to investigate charges in relation to the Broadway railway association and the common council of the city of New-York, which was laid upon the table by vote of the Senate.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

The President appointed Messrs. Bartlett, Taber and Babcock, as such committee.

Mr. Wright called for the consideration of the resolution offered by him on the 26th inst., calling on the Canal Commissioners to report tolls, &c., upon the Champlain canal, which were laid upon the table by consent.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

On motion of Mr. Clark,

Resolved, That the committee on finance, to which was referred the memorial from Genesee college, be discharged from the con-

sideration of the same, and that it be referred to the committee on literature.

Mr. Cooley offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That Senate bill number three, relative to savings banks, be made the special order for half past 11 o'clock on Tuesday next.

Mr. Pierce moved to amend, by striking out the word "Tuesday" in the said resolution, and insert the word "Monday."

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Davenport	McMurray	Smith	
Bristol	Cornell	Jones	Pierce		9

FOR THE NEGATIVE.

Babcock	Huntington	Munroe	Taber	Ward	
Beekman	McElwain	Newcomb	Upham	Williams	
Clark	Morgan	Platt	VanSchoonhoven	Wright	
Cooley					16

Mr. Cornell moved to amend said resolution, by striking out eleven o'clock, a. m., and inserting half-past one o'clock, p. m.

Mr. Conger called for the ayes and noes.

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Cornell	Jones	Pierce	
Bennett	Conger	Davenport	McMurray	Smith	10

FOR THE NEGATIVE.

Babcock	Huntington	Munroe	Taber	Ward	
Beekman	McElwain	Newcomb	Upham	Williams	
Clark	Morgan	Platt	VanSchoonhoven	Wright	
Cooley					16

Mr. Conger then moved that the said resolution be laid upon the table.

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Davenport	McMurray	Smith	
Bennett	Cornell	Jones	Pierce	Snow	
Bristol					11

FOR THE NEGATIVE.

Babcock	Huntington	Munroe	Taber	Ward	
Beekman	McElwain	Newcomb	Upham	Williams	
Clark	Morgan	Platt	VanSchoonhoven	Wright	
Cooley					16

The hour of 12 m., having arrived, the President announced the special order, it being the consideration of the bill entitled "An act to incorporate the Atlantic and Pacific railroad company;" also, "An act to authorize the union and consolidation of railroad companies."

Mr. Cooley moved that said special order be laid upon the table for ten minutes.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Huntington	Munroe	Taber	Ward
Beekman	McElwain	Newcomb	Upham	Williams
Clark	Morgan	Platt	VanSchoonhoven	Wright
Cooley				

16

FOR THE NEGATIVE.

Bartlett	Conger	Davenport	McMurray	Smith
Bennett	Cornell	Jones	Pierce	Snow
Bristol				

11

The President announced the question before the Senate to be on the said resolution of Mr. Cooley.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Huntington	Newcomb	Taber	Ward
Beekman	McElwain	Platt	Upham	Williams
Clark	Morgan	Snow	VanSchoonhoven	Wright
Cooley	Munroe			

17

FOR THE NEGATIVE.

Bartlett	Bristol	Cornell	Jones	Pierce
Bennett	Conger	Davenport	McMurray	Smith

10

The President again announced the special order.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to incorporate the Atlantic and Pacific railroad company."

"An act to authorize the union and consolidation of railroad companies."

And after some time spent thereon, Mr. Upham, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

Mr. Wright moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

On motion of Mr. Bennett,

Resolved, That the bill entitled "An act to incorporate the Atlantic and Pacific railroad company," and the bill entitled "An act to authorize the union and consolidation of railroad companies," be made a special order for Monday next at 12 o'clock, m.

On motion of Mr. McElwain,

The Senate then adjourned until 11 o'clock Monday morning.

MONDAY, JAN. 31, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jeffreys.

The journal of Saturday was read and approved.

Mr. Beekman presented the petition of citizens of New-York city, against the diversion of the business of the Erie railroad, and a change of its terminus from the city of New-York to the Jersey shore, which was referred to the committee on railroads.

Mr. McMurray presented two petitions of citizens of New-York city, against the diversion of the Erie railroad, and a change of its terminus from the city of New-York to the Jersey shore, which were referred to the committee on railroads.

Mr. Snow presented the petition of James E. Shader and Aaron Cramer, for canal damages, which was referred to the committee on claims.

Mr. Williams presented the petition of citizens of the county of Tompkins, in favor of a law to provide for the effectual draining of the Cayuga marshes, which was referred to a select committee on that subject.

Mr. Conger presented the petition of citizens of New-York city, against the diversion of the business of the Erie railroad and a change of the terminus from the city of New-York to the Jersey shore, which was referred to the committee on railroads.

Mr. Ward, from the committee on claims, to which was referred the petition and other papers of Levi Hulbert and Charles Vroman for relief, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of Levi Hulbert and Charles Vroman," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Jones, from the committee on claims, to which was referred the petition and other papers of Cyrus P. Dunham and others for relief, &c., reported adversely in writing, and moved that the said committee be discharged from further consideration thereof.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Jones, from the committee on claims, to which was referred the petition, &c., of A. Patten & Co., for relief, moved to be discharged from further consideration, and that the same be referred to the committee on canals.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Jones, from the committee on claims, to which was referred the petition of sundry citizens of Canajoharie, in relation to building a bridge at that place, moved that said committee be discharged from further consideration thereof, and that the same be referred to the committee on roads and bridges.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Jones, from the committee on claims, to which was referred the petition of John H. Stafford for relief from destruction of medicines, &c., moved that said committee be discharged from further consideration thereof, and that the same be referred to the committee on medical societies and colleges.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Jones, from the committee on claims, to which was referred the several petitions of D. Wiles, John Kesler, Kasson Lewis, Nathaniel Smith and Jacob Pettibone, for damages on account of overflowing of water from the canal, moved that said committee be discharged from further consideration thereof, and that the same be referred to the committee on grievances.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President presented the report of the Secretary of State, in reply to a resolution of Mr. Bartlett, passed in Senate January 21st, calling for papers on file in his office, relative to the claim of Conradt and Marcus Brown, which was referred to the committee on claims

Also, a communication transmitting the annual report of the institution for savings of merchants, clerk's and others, for the year 1852; also, the nineteenth annual report of the Bowery Savings Bank, which were referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. Cooley, in behalf of Mr. Vanderbilt, asked for and obtained leave to introduce a bill entitled "An act to incorporate the Paaker Institute," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice,

Mr. Cooley, in behalf of Mr. Vanderbilt, asked for and obtained leave to introduce a bill entitled "An act to authorize the Brooklyn female academy to sell real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Pierce gave notice that he would, to-morrow, introduce a bill to prevent boards of supervisors from reducing the assessed value of real estate in any case as returned by the assessors; also "An act to prevent corruption in elections."

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act to abolish the military commutation tax," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

In pursuance of previous notice,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act authorising the directors of the N. B. & Cohecton turnpike company to change the location of their toll gates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to amend the sixteenth chapter of the first part of the Revised Statutes on highways, &c.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice,

Mr. Williams asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of companies to construct plank roads, and of companies to construct turnpike roads,' passed May 7, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice,

Mr. Upham asked for and obtained leave to introduce a bill entitled "An act to amend the articles of association of the Farmers' and Mechanics' bank of Genesee," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

On motion of Mr. Morgan,

Resolved, That the committee on manufactures be discharged from the further consideration of the petition of the New-York and Montgomery mining company for an amendment of its charter, and that the same be referred to the committee on the judiciary.

Mr. Upham offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That Senate bill entitled "An act to authorize the union and consolidation of certain railroad companies," be taken from the committee of the whole and referred to the railroad committee, with instructions to amend the same by restricting the bill to the railroads running from Albany and Troy to Buffalo, and

from Rochester to Buffalo by the way of Lockport, and report the same complete.

Mr. Pierce offered the following amendment: "Also, that the said committee be required to enquire and report upon the expediency of establishing the rates of tolls upon freight carried upon any line or lines of railroads running from Lake Erie to tide water, or to the Hudson river or any other line, as the same stood with reference to the central line prior to the repealing act of 1851."

Mr. Cooley moved to amend, by striking out the word "also" in the first line, and inserting the word "resolved."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock moved to amend, by inserting after the word "line" between the fifth and sixth lines in said amendment, the words "competing with any of the canals in this State."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Clark offered the following amendment: "And that said road or roads shall carry freight and passengers for all distances over twenty five miles, for the same rates of fare for passengers and the same charge for carrying freight per mile as may be charged for freight and passengers when conveyed over the whole length of the road or roads, with the addition of twenty-five cents per ton on freight for loading and unloading."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative.

The President then put the question on the amendment of Mr. Pierce as amended, and it was decided in the affirmative.

Mr. Cooley called for a division of the question, and that vote be taken on the proposition contained in the resolution as first offered by Mr. Upham.

The President put the question on said first division, the resolution of Mr. Upham, and it was decided in the affirmative.

The President announced the question to be on the second division, the proposition embraced in the amendment offered by Mr. Pierce, and as amended by the amendments of Mr. Cooley and Babcock.

Mr. Cooley moved to further amend the same, by striking out all the words in the first line of said amendment, up to and including the word "required," and insert as follows: "Resolved, That the committee on railroads be instructed."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger moved to amend, by inserting after the word "report," the words "on such other day as to them may be convenient."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Jones moved to amend, by striking out the words "rail-roads" in said amendment of Mr. Pierce, as amended by the amendments of Mr. Cooley and Babcock, and inserting the word "canals."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question on the second division or proposition contained in the said amendments offered by Mr. Pierce, and amended by the respective amendments of Messrs. Cooley, Babcock and Jones, and it was decided in the affirmative.

Mr. Pierce offered for the consideration of the Senate the following preamble and resolutions, to wit:

Whereas, It appears from the report of the Comptroller, that, in certain counties of this State, and we have reason to believe that the practice has prevailed still more extensively, the boards of supervisors of such counties, at their last annual meeting, did actually and greatly reduce the aggregate valuation of the real estate of such counties below the aggregate valuation thereof as the same was returned to them by the assessors, contrary to and in violation of the statute in such case made and provided, and to the manifest injury of the people of the other counties of the State, whose assessments were made in good faith according to law, and on the basis of the act of 1851, and who have therefore contributed their fair and full share of the quarter mill tax, and of the eight hundred thousand dollar school tax accordingly; therefore

Resolved, (If the Assembly concur,) That the county clerk's or clerks of the boards of supervisors of the several counties of this State, be and they are hereby required forthwith, to transmit to the Comptroller the aggregate valuation of the real and of the personal estate of their respective counties, as the same was made and returned by the assessors to such boards of supervisors at their last annual meeting, wherever such aggregate valuation so returned by the assessors differed from the valuation as corrected by such board of supervisors, and transmitted by their clerks to the Comptroller.

And Resolved, (If the Assembly concur,) That upon the reception of such returns, if any, the Attorney General of this State is hereby directed and required to apply to the supreme court for an order of mandamus, to be directed to the board of supervisors of any county where such discrepancy shall appear, ordering and requiring that the deficiency in its proportion of the quarter mill State tax raised in such county for the last year, by reason of the unauthorized reduction by the board of supervisors of such county, of the aggregate valuation of its real and personal estate below the aggregate amount of the same as returned by the assessors, be raised and assessed by such board of supervisors on the real and personal estate of such county for the ensuing year, to be collected and paid over to the Treasurer of this State in the manner now provided by law, with regard to said quarter mill tax.

And Resolved, (If the Assembly concur,) That the State Superintendent of common schools is hereby directed, in ascertaining the portion of the eight hundred thousand dollar school tax, to be assessed and collected in each of the several counties of this State (pursuant to section twenty-two, of act two, of chapter fifteen, of part one of the fourth edition of the Revised Statutes), to divide the said sum among the several counties according to the assessed valuation of real and personal estate therein as the same was returned by the assessors wherever such valuation is found to differ from the corrected valuation as the same was transmitted by the clerk of the boards of supervisors to the Comptroller; and the boards of supervisors of the several counties of this State, are hereby directed to assess the same upon the real and personal estate of such counties—to be collected and paid to the respective county treasurers in the manner now provided by law.

Ordered, That said resolutions be laid upon the table.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

“An act to incorporate the Atlantic and Pacific railroad company.”

And after some time spent thereon, Mr. Upham, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Otis,

The Senate then adjourned until 11 o'clock to-morrow morning.

TUESDAY, FEB. 1, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The journal of yesterday was read and approved.

Mr. Conger presented the petition of John L. O'Sullivan, praying for the return of his former petitions with a view to an investigation by the Hon. the Assembly for reasons assigned, which was referred to a select committee.

Mr. Bristol presented the petition of several inhabitants of Broome co., praying for a law prohibiting the traffic in intoxicating liquors, which was referred to the committee on the internal affairs of towns and counties.

Mr. Williams presented two petitions of sundry citizens of the county of Tompkins, asking for a law draining the Cayuga marshes, which were referred to a select committee on that subject.

Mr. Bristol presented a remonstrance of the tax payers of Catskill, against levying a tax for building a bridge across the Catskill creek, which was committed to the committee of the whole.

Mr. Conger presented the resolution and memorial of the board of supervisors of Putnam co., praying that the expense incurred by the county in the trial of William Somers for murder, be reimbursed to it by the county of Dutchess, which was referred to the committee on the judiciary.

Mr. Morgan presented the remonstrance of the trustees of the Seamens' Fund and Retreat, and others, which was referred to the committee on commerce and navigation.

Mr. Cooley presented a remonstrance of the inhabitants of the town of Catskill, in the county of Greene, which was committed to the committee of the whole.

Mr. Ward presented the petition for the removal of the charter of the Chautauque mutual insurance company, which was referred to the committee on banks and insurance companies.

Mr. Bristol presented the remonstrance of several inhabitants and tax payers of the town of Catskill, Greene co., against the passage of a law taxing them for the building of a bridge across the Catskill creek, which was committed to the committee of the whole.

Mr. Beekman presented the joint memorial of the board of education and of the public school society of the city of New-York, praying for the passage of an act of consolidation, which was referred to the committee on literature.

Mr. Jones presented two petitions of inhabitants residing on the German patent in Newburgh, for an act authorising commutations for glebe rents, which were referred to the committee on the judiciary.

Mr. Van Schoonhoven presented the petition of citizens of Rensselaer co., asking a law for the establishment of an asylum for aged and indigent masons, which was referred to the committee on charitable and religious societies.

A message was received from the Assembly, requesting the Senate to transmit to that body the papers, &c., in the cases of Francis J. Le Valley, A. Harwood and Joshua Worrell.

Mr. Clark, from the committee on roads and bridges, to which was referred the petition &c., of the Newburgh and Ellenville plank road company, reported, and asked and obtained leave to introduce a bill entitled "An act to authorize the Newburgh and Ellenville plank road company to abandon parts of their road, and also to issue preferred stock," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to authorise the city of Oswego to convey by deed certain lots in the market block in said city," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities

and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act,' passed May 25, 1836," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

A message from the Assembly was received and read, requesting the Senate to transmit to that body the petitions and maps on file in the Senate in relation to the erection of a new county, to be comprised of parts of Cattaraugus, Chautauque and Erie.

A message from the Assembly was received and read, informing that they do non-concur in the passage of the following entitled bill :

"An act to enable George Wotherspoon to take, hold and convey real estate."

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bill :

"An act to authorise the Metropolitan fire insurance company in the city of New-York, to increase the number of their directors."

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of the Building Association fire insurance company, to that of the Hamilton fire insurance company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies

A bill was received from the Assembly for concurrence, entitled "An act defining the limits to the jail in the city of Utica, and for the county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The President presented the report of the Canal Commissioners in reply to a resolution of the Senate in relation to tolls, tonnage, &c., on the Champlain canal for the last year, which was referred to the committee on canals.

Mr. Vanderbilt gave notice that he would, at some future day, introduce a bill in relation to escheats and escheated lands; also "An act in relation to the Greenwood cemetery."

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act to repeal the birth, marriage and death registry act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act to prevent corruptions in elections," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on privileges and elections.

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act to amend the laws relating to the equalization of assessments and the correction of the assessment rolls by the supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Bennett offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the bill entitled "An act to incorporate the Atlantic and Pacific railroad company," be taken from the committee of the whole and referred to the committee on railroads, with instructions to report the same complete.

Debate was had thereon, when

At the hour of half past eleven o'clock, a. m., Mr. Cooley called for the special order, it being the consideration of the bill entitled "An act relative to savings banks or institutions for savings."

The Senate then resolved itself into a committee of the whole on said bill:

- And after some time spent thereon, Mr. Clark, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Upham moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Huntington	Munroe	Upham	Ward
Beekman	McElwain	Oris	Vanderbilt	Williams
Clark	Morgan	Platt	Van Schoonhoven	Wright
Cooley				

16

FOR THE NEGATIVE.

Babcock	Bennett	Conger	Jones	Smith
Bartlett	Bristol	Cornell	McMurray	Snow

10

The Senate then adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 2, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jeffreys.

The journal of yesterday was read and approved.

Mr. Upham presented the remonstrance of the commissioners of highways of the town of Gaines and Carlton, Orleans co., against change of toll gate; also, the petition of citizens of Albion and Gaines, in Orleans co., for change of toll gate, which were referred to the committee on roads and bridges.

Mr. Clark presented the petition of the American Peace society, requesting action in favor of peaceful substitutes for war, which were referred to the committee on grievances.

Mr. Wright presented the petition of citizens of Saratoga co., for the incorporation of the grand lodge of the State of New-York, which was referred to the committee on charitable and religious societies.

Mr. Platt presented the petition of A. Bronson and others, relative to the sale of gospel and school lots in Oswego, which was referred to the committee of the whole.

Mr. Beach presented the petition of 100 citizens of the town of Springport, in favor of draining the Cayuga marshes, which was referred to a select committee on that subject.

Mr. Snow presented the petition of A. Wetmore; also, the petition of G. & J. W. Caldwell; also, the petition of Frederick M. Benton and Sophrona Benton, for canal damages, which were referred to the committee on claims.

The President presented the second annual report of the Manhattan savings bank in the city of New-York, which was referred to the committee on banks and insurance companies.

Mr. Vanderbilt presented the annual report of the Brooklyn Institute, which was referred to the committee on literature.

Also, the annual report of the Williamsburgh savings bank, which was referred to the committee on banks and insurance companies.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition of Robert Sargeant for confirmation of sales, &c., reported, and asked and obtained leave to introduce a bill entitled "An act to confirm certain sales and conveyances of real estate in the county of Kings, made by Thomas G. Talmadge as loan commissioner," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition of Alexander Seignette for authority to hold real estate, &c., reported, and asked and obtained leave to

introduce a bill entitled "An act to enable Alexander Seignette to convey real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of the Union bank of Troy," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to authorise the Brooklyn female academy to sell real estate," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to provide a supply of water for the village of Newburgh," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the existing law relating to bribery," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the Packer Institute," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred the memorial of the board of education and public schools of the city of New-York, and the bill entitled "An act relative to common schools in the city of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Ward, from the committee on claims, to which was recommended the bill entitled "An act authorising the appraisal and payment of damages to the legal representatives of Henry Baker, sustained by the obstruction of the water of mill creek by the Erie canal," reported agreeably with instructions to said committee, which was committed to the committee of the whole.

Mr. Platt, from the committee on commerce and navigation, to which was referred the petition of the Atlantic dock company for authority to build docks, &c., reported, and asked and obtained leave to introduce a bill entitled "An act to authorise the Atlantic dock company, Daniel Richards, William H. Peel, Divine Burtis, William Beard and others, to build docks, bulkheads, piers, basins, &c.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Platt, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act in relation to the trustees of the Seamen's Fund and Retreat in the city of New-York,' passed April 5, 1848,'" reported adversely, and moved that said bill be not passed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Munroe, from the committee on railroads, to which was recommitted the bill entitled "An act to authorise the union and consolidation of railroad companies," with instructions to report certain amendments and the said bill complete, so reported.

Mr. Clark moved to amend said report, by adding the following section to said bill: § 7. If any two or more of the railroad companies named in this act, shall consolidate such companies into a single corporation, such new corporation shall carry passengers and freight any distance over twenty miles, for the same rates of fare for passengers, and the same rates and charges for freight per mile, as may be charged for carrying passengers and freight when carried over the whole length of the road or roads of such corporation, with the addition of twenty-five cents per ton on freight.

Debate was had thereon, when

Mr. Munroe moved to amend the said amendment offered by Mr. Clark, by striking out all after the word "carry" in the fourth line of the said amendment, and insert as follows: "way passengers at a rate not exceeding two cents a mile."

Debate was had thereon, when

Mr. Munroe withdrew his said amendment.

Mr. Clark also withdrew the said amendment offered by him, and then offered the following amendment:

§ 7. The railroad companies named in this act, and all other railroad companies in this State, shall carry freight and passengers for all distances over twenty miles, for the same rates of fare per mile for passengers, and the same rates and charges for carrying freight per mile, as shall be charged by said respective companies for carrying passengers and freight when carried over the whole length of the road of such corporation, with the addition of twenty-five cents per ton on freight.

Debate was had thereon, when

Mr. Pierce moved that the said report and amendments offered thereto be laid upon the table, and that the said amendments be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Wright,

The Senate adjourned until 11 o'clock, to-morrow morning.

THURSDAY, FEBRUARY 3, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The journal of yesterday was read and approved.

Mr. Beekman presented the memorial of the bank for savings in the city of New-York, situated in Chamber street, and incorporated in 1819, asking that the surplus of ten per cent may be allowed to exist, and that deposits of twenty years standing may not be withdrawn, which was referred to the committee of the whole.

Mr. Wright presented the petition of inhabitants of Washington co., for the enlargement of the locks on the Champlain canal, which was referred to the committee on canals.

Mr. Snow presented the petition of the grand jurors of the county of Montgomery, praying for an amendment of the constitution so as to disfranchise every person who shall corruptly influence electors at elections by the use of money or otherwise, which was referred to the committee on privileges and elections.

Mr. Upham presented three several remonstrances of legal voters of Carlton, Gaines and Albion, against replacing toll gate between the village of Albion and Five Corners on the Albion plank road, which were referred to the committee on roads and bridges.

Mr. Williams presented the petition of citizens of Tompkins co., asking for a law to provide for the draining of the Cayuga marshes, which was referred to a select committee of Senators from the 20th and 21st districts.

Mr. Beach presented the petition of B. F. Hall, mayor, and 100 others, citizens of the city of Auburn, in favor of draining Cayuga marshes, which was referred to a select committee on that subject.

Mr. Dayenport presented the petition of W. C. Pierpont, president of the Watertown and Rome railroad company for relief, which was referred to the committee on railroads.

Mr. Jones, from the committee on claims, to which was referred the petition of James H. Salisbury for compensation, &c., reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of James H. Salisbury," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Jones, from the committee on claims, to which was referred the communication of the Inspectors of State Prisons in relation to expenses by them in certain proceedings, reported, and asked and obtained leave to introduce a bill entitled "An act to reimburse expenses of Darius Clark, William P. Angel and Henry

Storms, Inspectors of State Prisons, incurred in the investigation of charges preferred against them with a view to their removal, which charges were dismissed by the Governor; also, for paying Christopher Morgan and Theodore M. Pomeroy employed by the Governor for conducting said investigation," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Platt, from the committee on commerce and navigation, to which was referred the bill entitled "An act to establish a ferry at Fort Montgomery on the Hudson river," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to amend the articles of association of the Farmers' and Mechanics' bank of Genesee," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition of citizens of the city of New-York, to simplify the manner of collecting arrears of taxes, &c., reported, and asked and obtained leave to introduce a bill entitled "An act to simplify the collecting of arrears of taxes and assessments in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition of the New-York and Montgomery mining company for an alteration of their charter, reported, and asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the New-York and Montgomery mining company,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to obtain a more full and complete return of personal property to the assessors of the several cities, towns and wards of this State," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act in relation to the taxation of real estate and of mortgages thereon," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the grand lodge of free and accepted masons in the State of New-York, and to establish and maintain an orphan asylum and school fund for the same," reported the same for the con-

sideration of the Senate, which was committed to the committee of the whole.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bill, to wit:

"An act to authorise the Metropolitan fire insurance company in the city of New-York, to increase the number of their directors."

A message from the Assembly was received and read, informing that they had ordered the printing of fifteen copies of the annual report of the Canal Commissioners for each member of the Assembly and the Senate, and one thousand copies for the Canal Commissioners; also, the printing of sixteen copies of the annual report of the State Engineer and Surveyor on canals, for each member of the Assembly and Senate, and fifteen hundred copies for the State Engineer and Surveyor; also the printing of five hundred additional copies of the annual report of the Canal Commissioners for the use of the Commissioners.

A message from the Assembly was received and read, informing that they had passed the following resolution, to wit:

Resolved, That in all orders for printing of extra numbers of documents, the officers and reporters of the House shall be entitled to the same number as the members.

The President presented the 25th annual report of the Brooklyn savings bank, which was referred to the committee on banks and insurance companies.

Also, the report of the Comptroller in reply to a resolution of the Senate, in relation to the expenses of the Colonial History, &c., which was referred to the committee of the whole and ordered printed.

Also, the following communication:

To the Hon. S. E. CHURCH, *Lieut. Gov*,
and members of the Senate:

Gentlemen—The Veteran Corps of the war of 1812, requests to present themselves before your honorable body, and those of the Assembly and Executive, on Thursday evening, the 3d inst., at 7 o'clock, in the Assembly Chamber, which has been appropriated to them for that purpose.

The body of the House, within the bar, will be exclusively reserved for the honorable gentlemen mentioned, and the remainder for the Veteran Corps, and by whom you are individually and respectfully invited to attend.

I have the honor to subscribe myself,

Your obedient servant,

NICHOLAS HAIGHT,

Col. Commanding.

Albany, Feb., 2, 1852.

Mr. Taber presented the report of the State Engineer and Sur-

veyor, in relation to removing obstructions from the channel of the Hudson river, which was referred to the committee on commerce and navigation.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill "to provide for the recovery of illegal taxes and assessments."

Mr. Cooley gave notice that he would, at an early day, ask leave to introduce a bill in relation to Mount Oliver cemetery.

Mr. Vanderbilt gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the New-York corn exchange.

Mr. Pierce gave notice that he would, to-morrow, introduce a bill to incorporate the Hyde Park and Esopus ferry company.

In pursuance of previous notice,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act to render more perfect the laws concerning escheats," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Platt gave notice that he would, at an early day, ask leave to introduce a bill confirming the sales of gospel and school lots in the towns of Oswego, Hannibal and Granby, and also to authorize the superintendents of common schools in said towns, to sell and convey any part of such lots now remaining unsold.

Mr. Davenport gave notice that he would, at an early day, introduce a bill for amending the charter of the Watertown and Rome railroad, and extending the time for the final completion of the same.

Mr. Taber gave notice that he would, at some future day, ask leave to introduce a bill requiring the county clerk of Kings co., to record the assignments of a certain mortgage.

Mr. Clark gave notice that he would, at an early day, ask leave to introduce a bill in relation to the manufacture and sale of intoxicating liquors.

Mr. Bennett called for the consideration of the resolution offered by him on the 1st inst., to refer the bill entitled "An act to incorporate the Atlantic and Pacific railroad company," to the committee on railroads, with instructions to report the same complete.

Debate was had thereon, when

Mr. Cooley offered the following amendment: "*Resolved*, That on and after to-day, the Senate will hold an afternoon session commencing at four, p. m.; and that the bill to incorporate the Atlantic and Pacific railroad company, be made the special order from day to day at four p. m., until disposed of."

Mr. Bennett accepted of said amendment.

Mr. Beach moved to amend, so that the Senate take a recess at a quarter before two o'clock, p. m.

Mr. Bristol moved to amend, so that the Senate take a recess at two o'clock, p. m.

The President put the question whether the Senate would agree to the said motion of Mr. Bristol, and it was decided in the negative.

The President then put the question whether the Senate would agree to the said motion of Mr. Beach, and it was decided in the affirmative. ●

The President then put the question on the amendment of Mr. Cooley as amended, and it was decided in the affirmative.

Mr. Clark offered for the consideration of the Senate, a resolution in the words following, to wit :

Resolved, (If the Assembly concur,) That our Senators in Congress be instructed, and our Representatives be requested to use their influence in such ways as they may deem best, to secure wherever practicable, a provision in the treaties of our government with other nations, for referring to the decision of umpires all future misunderstandings that cannot be satisfactorily adjusted by amicable negotiation.

Ordered, That said resolution be laid upon the table.

Mr. Ward offered for the consideration of the Senate a resolution, in the words following, to wit :

Resolved, That the Clerk of the Senate be directed to furnish each Senator, officer and reporter, and messenger (who may desire it), with pen knives, such as have been usually furnished at previous sessions of the Senate, one to each. ●

Mr. Pierce moved to amend, by striking out the words "Senator, officer," and inserting after the word "messenger" the following : "who were not so furnished at the last session."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President announced the question to be on the said resolution as offered by Mr. Ward.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Munroe	Snow	Ward
Beach	Davenport	Newcomb	Upham	Williams
Bennett	Kirby	Otis	Vanderbilt	Wright
Bristol	McElwain	Rogers	VanSchoonhoven	19

FOR THE NEGATIVE.

Babcock	Conger	Jones	Smith	Taber
Beekman	Cooley	Pierce		8

On motion of Mr. Pierce,

Resolved, That the petitions and papers on file relating to the records of trustees of the old town of Kingston, be taken from

the files and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Pierce,

Resolved, That the Secretary of State be requested to report to this body, whether any portion of the documents relating to the Colonial History now on file in his office have been published, except under and by virtue of the contract entered into with the State for that purpose; whether to his knowledge or belief any person has had free access to said papers and documents and is about to or has already compiled a history from the same to be published on his own responsibility, the proceeds and benefits thereof to accrue to himself alone.

On motion of Mr. Conger,

Resolved, That the papers relating to the repeal of the charter of the Lancasterian schools in the city of Schenectady, be taken from the files of the last session and referred to the committee on literature.

On motion of Mr. Conger,

Resolved, That the members of the Senate who were during the late session appointed as members of the joint select committee to investigate certain charges respecting the canal lettings, be empowered to audit the account of William Baldwin, a witness duly subpoenaed, and to certify the same in the same manner as if such account had been presented, audited and certified prior to the 15th day of March last.

On motion of Mr. Bartlett,

Resolved, That the Commissioners of the Land Office be respectfully requested to report to the Senate forthwith, what proceedings have been had under the provisions of the act passed April 10, 1849, with regard to purchasing a site for the Marine Hospital at Sandy Hook, what sums, if any, have been paid towards said purchase, and also, what proceedings have been had with the State of New Jersey in regard to the same.

Mr. Kirby moved to take from the table the joint resolution offered by him on the 21st ult., in relation to codification of military laws, and that the same be now considered.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Kirby, and by unanimous consent, the said resolution was amended as follows: "and that the said commission be required to complete and report the same to the Legislature on or before the first day of April next."

Mr. Pierce offered the following amendment: "and that each of said commissioners be allowed for each day actually engaged in such business, three dollars, to be certified by the Adjutant General."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

The President announced the question to be on the said resolution as amended.

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Munroe	Smith	Vanderbilt
Beekman	Davenport	Newcomb	Snow	VanSchoonhoven
Bristol	Kirby	Platt	Taber	Wright
Clark	McElwain	Rogers	Upham	19

FOR THE NEGATIVE.

Jones	Otis	Pierce	Williams	4
-------	------	--------	----------	---

Mr. Beekman offered for the consideration of the Senate, resolutions in the words following, to wit :

Resolved, That the select committee appointed on the 29th January last, with power to send for persons and papers, and to enquire into the integrity and purity of the proceedings of the Broadway railway association and of the common council of the city of New-York in relation thereto, be authorized and directed to extend their enquiries so as to include the proceedings of all other city railway associations and of ferry companies or ferry owners, and of wharf and pier purchasers or lessees, in similar negotiations with the same common council.

Resolved, That the select committee have power to send for persons and papers, and to take compulsory testimony in every case in which they may find it necessary.

Debate was had thereon, when

At fifteen minutes before two o'clock, p. m., the President announced the recess as provided by resolutions adopted this morning.

FOUR O'CLOCK, P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the following entitled bill :

"An act to incorporate the Atlantic and Pacific railroad company."

And after some time spent thereon, Mr. Snow, from said committee, reported progress on said bill, and asked for and obtained leave to sit again.

On motion of Mr. Beekman,

Resolved, That Senate bill No. 59, being "An act authorizing the trustees of the Brooklyn female academy to sell and dispose of their real and personal estate," be referred to the Senators from the second, third, fourth, fifth and sixth districts, with instruction to report complete.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the place of meeting of the board of town auditors of the town of Richmondville, Schoharie county," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

On motion of Mr. McElwain,

The Senate then adjourned until 11 o'clock to-morrow morning.

FRIDAY, FEBRUARY 4, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jeffreys.

The journal of yesterday was read and approved.

Mr. Cooley arose to a question of privilege, to wit: imputations against Senators contained in a communication from John L. O'Sullivan, presented to the Senate on the 1st inst., by the Senator from the 7th, as follows:

To the Hon. the Senate:

I respectfully pray that my petition presented to the Senate on Thursday last, may be returned to me, for the following reasons:

I prayed for an investigation before legislative action, on a bill then pending, a bill urged on the ground of charges which fair investigation would show to be factitious and calumnious. This request not having been granted, and the bill having been carried through the Senate without such investigation as without proof, it is to the Assembly that those wronged must now appeal for that trial before condemnation, which is a right sacred at least if not inviolable.

The wrong thus done by those who vainly protested against such transposed legislation, is not mitigated by posterior of an investigating committee in whose minds if they were before in error, all the impulses of self justification must necessarily be in conflict with those of justice. When the same individual, deaf to all appeals for a fair trial, has united summary functions of accuser and executioner, it is scarcely to be expected that he can afterwards sit as the judge for any other purpose than to condemn. This committee (selected by the attorney of our opponents, presiding pro tem in the Senate), has been made to consist of one impartial member, and two other honorable Senators of whom it is no disrespect to say that they are by moral necessity, very deeply interested in sustaining by means of an investigation conducted on analogous principles, a legislative proceeding to which they were actively influential in urging the Senate, some of whose

honorable members have since expressed regret for the votes they were led to give. One of the said members of the committee (Mr. Taber), being a relative of our most violent opponent in this city and the other (Mr. Babcock), having avowed on the floor that "3,000 affidavits" would not change his views on the question he is thus appointed to judge; and both having been vehement in urging the Senate to accept as true the charges which they then refused all appeals to investigate, it is manifest that an *ex post facto* appointment of such a committee under such circumstances, is a redoubled denial of the justice asked for in the former petition, which I therefore ask to have returned to me with a view to seeking at the hands of the Assembly the justice vainly sought at those of the Senate.

And your petitioner will ever pray, &c.

JOHN L. O'SULLIVAN.

After remarks from several Senators,

Mr. Babcock offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the select committee appointed to inquire into certain matters relating to the action of the common council of the city of New-York, in relation to the Broadway railroad association, be discharged from the further consideration of the petition of John L. O'Sullivan, that was presented to the Senate on the 1st inst., and that said petition be returned by the clerk to the Senator of the 7th district, by whom it was presented.

Debate was had thereon, when

Mr. Munroe moved to amend, by striking out the word "Senator," and all after, and insert the word "petitioner."

Debate was had thereon, when

At a quarter to two o'clock, p. m., the President announced the recess.

FOUR O'CLOCK, P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to incorporate the Atlantic and Pacific railroad company."

And after some time spent thereon, Mr. Upham, from said committee, reported progress, and asked for and obtained leave to sit again.

By unanimous consent,

Mr. Beekman, from the select committee, to which was referred the bill entitled "An act authorising the trustees of the Brooklyn female academy to sell and dispose of their real and personal estate," reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Snow,

The Senate adjourned until 11 o'clock, to-morrow morning.

SATURDAY, FEBRUARY 5, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The journal of yesterday was read and approved.

Mr. Morgan presented the memorial of Henry O'Rielly, praying that the Atlantic and Pacific railroad charter be amended, so as to secure the same right of way for all telegraphers which New-York and other states have freely granted within their own borders so as to prevent monopoly and correct other abuses by encouraging salutary competition in telegraphing, which was referred to the committee of the whole.

Mr. Morgan presented the petition of numerous shipping merchants in the city of New-York, in favor of a law regulating pilotage, which was referred to the committee on commerce and navigation.

Mr. Williams presented the petition of Samuel Bell and 100 other citizens of Montezuma, county of Cayuga, asking for a law to provide for draining Cayuga marshes, which was referred to a select committee on that subject.

Mr. Morgan presented the petition of the Second street M. E. church to hold real estate for a cemetery, which was referred to the committee of the whole.

Mr. Rogers presented the petition of citizens of Johnsbrough, for a law against the sale of intoxicating drinks, which was referred to the committee on the internal affairs of towns and counties.

Mr. Williams presented the petition of Robert H. McFarren, late loan commissioner of the county of Yates, for relief, which was referred to the committee on claims.

Mr. Conger presented eight several remonstrances of inhabitants of the town of Catskill, representing a majority of property against the Catskill bridge bill, which were referred to the committee of the whole.

Mr. Vanderbilt presented the petition of the association for the exhibition of the industry of all nations for an amendment to their charter, which was referred to the committee on the judiciary.

Mr. Vanderbilt presented the petition of the board of supervisors of Kings co., in relation to loan for county purposes, which was referred to the committee on the judiciary.

Mr. Munroe presented the petition of the Syracuse water works company and the common council of Syracuse, for an increase of the capital stock of said company, which was referred to the committee on the incorporation of cities and villages.

Mr. Morgan presented the petition of numerous ship masters in New-York, in favor of a law for the better regulation of Sandy Hook pilots, which was referred to the committee on commerce and navigation.

Mr. Upham presented the petition of trustees of the village of Albion, to authorize the Albion plank road company to change the location of their gate, which was referred to the committee on roads and bridges.

Mr. Upham presented the petition of citizens of the village of Albion and Gaines, to authorize the Albion plank road company to change the location of their gate, which was referred to the committee on roads and bridges.

Mr. Bennett presented the petition of Merrit Clark, George D. Wheeler, Richard R. Clark and Ambrose Clark, for relief, which was referred to the committee on claims.

By unanimous consent,

The Assembly bill entitled "An act in relation to the place of meeting of the board of town auditors of the town of Richmondville, Schoharie county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Morgan	Rogers	Upham
Bartlett	Conger	Munroe	Smith	Vanderbilt
Beckman	Cooley	Newcomb	Snow	Ward
Bennett	Cornell	Platt	Taber	Williams
Bristol	Jones			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act to change the name of the Building association fire insurance company, to that of the Hamilton fire insurance company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Jones, from the committee on claims, to which was referred the petition of Stillwell & Smith for damages in consequence of overflowing of the canal, &c., reported, and asked and obtained leave to introduce a bill entitled "An act for the appraisement of canal damages of Elias Stilwell and Benjamin Smith," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following bill :

"An act authorising the trustees of the Brooklyn female academy to sell and dispose of their real and personal estate."

Ordered, That said bill do have its third reading.

Mr. Babcock, from the committee on public printing, to which was referred the resolution of Mr. Pierce for printing one thousand extra copies of the annual report of State prison inspectors

for use of said inspectors, reported in favor of printing such number without accompanying documents.

The President put the question whether the Senate would agree to the said report and resolution, and it was decided in the affirmative.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to make the records of deeds of the town of Kingston, county records," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to extend the time for the collection of taxes in the counties of Montgomery and Schenectady," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the petition of the Second street Methodist Episcopal church of New-York, for authority to hold certain real estate, reported, and asked and obtained leave to introduce a bill entitled "An act to authorise the corporation of the Second street Methodist Episcopal church in the city of New-York, to hold certain lands for the purpose of a cemetery," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act authorising the superintendent of common schools in the town of Homer, to sell certain school lands, and also to confirm the title of others in the towns of Cortlandville and Homer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the title to certain lands situate in the town of Thompson, in the county of Sullivan, in George Turner Jr., and James Turner," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act in relation to railroad corporations,' passed February 13, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence, entitled "An act authorising a tax upon the taxable inhabitants of the town of Esopus, for the payment of a judgment recovered against and costs and expenses incurred by John W. Shultz, late overseer of the poor of the town of Esopus," which was read the first time, and by unanimous consent was also read the second time, and

referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to release the interest of the people of the State in certain real estate, of which Glasgow Walker died seized to Mary Ann Walker, his widow," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to release to James Knox and William Knox the interest of the State in certain bonds and mortgages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the county of Seneca," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to discontinue in part a certain highway in the town of Groton, Tompkins county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act relative to the common lands in the town of North Hempstead, county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of George William Noxon, to George Noxon Leavensworth," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act relative to land devised by James Morris, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to extend the time for the collection of taxes in the towns of Amsterdam, Mohawk and Palatine, in the county of Montgomery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of George Kill," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice,

Mr. Cooley, asked for and obtained leave to introduce a bill entitled "An act in relation to Mount Olivet cemetery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act authorising the incorporation of rural cemetery associations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice,

Mr. Clark asked for and obtained leave to introduce a bill entitled "An act in relation to the manufacture and sale of intoxicating drinks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Platt asked for and obtained leave to introduce a bill entitled "An act confirming the sale of gospel and school lots in the towns of Oswego, Hannibal and Granby, in the county of Oswego, and authorising the sale of portions of such lots now remaining unsold," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to provide for the recovery of illegal taxes and assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Munroe asked for and obtained leave to introduce a bill entitled "An act amending the charter of the Watertown and Rome railroad and extending the time for the final completion of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice,

Mr. Taber asked for and obtained leave to introduce a bill entitled "An act to authorise the clerk of Kings co., to record the assignment of a certain mortgage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act for the incorporation of library companies."

Mr. Munroe gave notice that he would, at an early day, ask

leave to introduce a bill to allow the Syracuse water works company to increase their capital stock.

Mr. Conger gave notice that he would, at an early day, ask leave to introduce a bill amending chapter 382, of the Laws of 1849, entitled "An act to amend chapter 480, of Session Laws of 1847, entitled 'An act relative to the office of town superintendent of common schools, and amendatory of the Revised Statutes, entitled 'of public instruction,' passed December 15, 1847.'"

Mr. Conger gave notice that he would, at an early day, ask leave to introduce a bill amending chapter 384, of the Laws of 1852, entitled "An act for the better securing of mechanics and others erecting buildings and furnishing materials, &c."

Mr. Cornell gave notice that he would, at an early day, ask leave to introduce a bill providing for the service of process upon railroad corporations.

Mr. Vanderbilt gave notice that he would, at an early day, ask leave to introduce a bill to cede to the United States jurisdiction over certain lands in and adjacent to the city of Brooklyn.

In pursuance of previous notice,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act to amend an act to incorporate the Greenwood cemetery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act to incorporate the New-York corn exchange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

The bill entitled "An act authorising the trustees of the Brooklyn female academy to sell and dispose of their real and personal estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Smith	Vanderbilt
Bartlett	Conger	Morgan	Snow	Van Schoonhoven
Beekman	Cooley	Munroe	Taber	Ward
Bennett	Cornell	Newcomb	Upham	Williams
Bristol	Jones	Platt		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Taber,

Resolved, That the petition and papers relating to "religious corporations," be taken from the files of this House and referred to the committee on charitable and religious societies.

On motion of Mr. Bristol,

Resolved, That the bill reported early in the session for taxing the town of Catskill for building a bridge, be referred back to the committee on the internal affairs of towns and counties for further consideration.

On motion of Mr. Babcock,

Resolved, That the resolution of the Senate providing for taking a recess at a quarter before two o'clock, each day, be suspended for this day.

On motion of Mr. Upham,

Resolved, That the papers on the files of the Senate relating to Rochester university, be taken from the files and referred to the committee on literature.

On motion of Mr. Snow,

Resolved, That the petition and papers relating to incorporating the Fulton live stock insurance company, be taken from the files of the Senate and referred to the committee on agriculture.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to divide the county of Stäuben into two jury districts, and to provide for holding courts in and for said county alternately in each of said districts."

And after some time spent thereon, Mr. Jones, from said committee, reported in favor of the passage of said bill without amendment.

On motion of Mr. Upham,

Said report was laid upon the table.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorise the formation of corporations for building purposes."

And after some time spent thereon, Mr. Van Schoonhoven, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Snow,

The Senate then adjourned until 11 o'clock Monday morning.

MONDAY, FEBRUARY 7, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kip.

The journal of Saturday was read and approved.

Mr. Beekman presented the memorial of Henry O'Rielly, praying that the Atlantic and Pacific railroad charter be amended, so as to secure right of way for all telegraphers which New-York

and other states have freely granted within their own borders, so as to prevent monopoly and correct other abuses by encouraging salutary competition in telegraphing, which was referred to the committee of the whole.

Mr. Morgan presented the petition of Russell Sturges, Charles H. Marshall, George W. Blunt, Robert L. Taylor, commissioners of pilots for the port of New-York, in favor of a law regulating pilotage, which was referred to the committee on commerce and navigation.

Mr. Williams presented the petition of E. Schultand 110 other citizens of the town of Caroline, county of Tompkins, in favor of enlarging and improving the Cayuga and Seneca canal, which was referred to the committee on canals.

Mr. Cooley presented the petition of inhabitants of Richmond co., asking for the repeal of certain road laws, which was referred to the committee on roads and bridges.

Mr. Morgan presented the petition of the Peoples' bathing and washing association, for a law authorising an increase of its capital stock and to limit the amount thereof, which was referred to the committee on charitable and religious societies.

Mr. Jones presented the remonstrance of Jonas Ingraham, against the passage of any law to pay Jacob Hinds for defending certain charges, which was referred to the committee on claims.

Mr. Williams presented the petition of David Hudson, late Canal Commissioner, and sundry other citizens of the county of Ontario, asking that provision be made for improving and enlarging the Cayuga and Seneca canal, which was referred to the committee on canals.

Mr. Conger presented the remonstrance of citizens of Cold Spring, against any alteration of their village charter, which was referred to the committee on the incorporation of cities and villages.

Mr. Taber presented the remonstrance of Matthew McMahon, John McEvoy and 983 other citizens of Albany, against the passage of an act to prevent grants or devises to ecclesiastical officers from vesting in their successors, which was referred to the committee of the whole.

Mr. Upham presented the petition of the trustees of the village of Batavia, asking for the passage of a law amending the charter of said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Vanderbilt presented the annual report of the South Brooklyn savings bank for the year 1852, which was referred to the committee on banks and insurance companies.

The President presented the annual report of unclaimed dividends and deposits of the Phoenix bank of the city of New-York, which was referred to the committee on banks and insurance companies.

Mr. Jones, from the committee on claims, to which was referred

the petition of Lucien P. Peckham, for damages in not having use of surplus canal water, &c., reported adversely in writing, and moved that said committee be discharged from the further consideration thereof, and that the prayer of the petitioner be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Ward, from the committee on claims, to which was referred the petition and other papers of Eliphalet Sears and Horace Adams, for canal damages, reported, and asked and obtained leave to introduce a bill entitled "An act to authorise the Canal Commissioners to hear and determine the claim of Eliphalet Lewis for increased compensation for work done on section 72 of the Erie canal enlargement, and to pay him for certain property taken for the use of the State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Platt, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the New-York and Virginia steamship company,' passed April 10, 1850," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition of the association for the exhibition of the industry of all nations, for amendment of charter, reported, and asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to incorporate the association for the exhibition of the industry of all nations,' passed March 11, 1852," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition of the association for the exhibition of the industry of all nations, for amendment of charter, reported, and asked and obtained leave to introduce a bill entitled "An act to authorise the mayor and chief of police of the city of New-York, to make provision for an efficient police for the protection of the crystal palace in that city," which was read the first time, and by unanimous consent, was also read the second time, and committed to the committee of the whole.

By unanimous consent,

The Assembly bill entitled "An act to provide for the election of a fifth justice of the peace in the town of Potsdam, in and for the county of St. Lawrence, and for the future election of five justices of the peace in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Morgan	Smith	Vanderbilt
Beekman	Cornell	Munroe	Taber	Ward
Bennett	Jones	Platt	Upham	Williams
Clark	Kirby	Rogers		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Clark, from the committee on roads and bridges, asked and obtained leave to introduce a bill entitled "An act making an appropriation for building a bridge across the west branch of the Hudson river in Warren county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend the 16th chapter of the first part of the Revised Statutes on highways, &c., reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the petition of the Albion plank road company for authority to change location of toll gate on their road and several remonstrances against such authority, reported, and asked and obtained leave to introduce a bill entitled "An act relative to the toll gate on the Albion plank road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message from the Assembly was received and read, informing that they have this day ordered the printing of 500 extra copies of the report of the Western House of Refuge for the use of the managers.

Mr. Taber gave notice that he would, at some future day, ask leave to introduce a bill to amend the existing law relating to licensing the sale of intoxicating drinks, and to remedy the mischiefs occasioned by their public sale and use.

Mr. Taber gave notice that he would, at some future day, ask leave to introduce a bill extending the time for the Albany and Susquehanna railroad company to comply with the forty-sixth section of the general railroad act.

Mr. Morgan gave notice that he would, at some future day, ask leave to introduce a bill to amend the act incorporating the Clinton Hall Association.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act for the incorporation of library companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill

entitled "An act to amend an act entitled 'An act to incorporate the Buffalo trust company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to amend chapter 382, of the Laws of 1849, entitled 'An act to amend chapter 480, Laws 1847, entitled 'An act relative to the office of town superintendent of common schools, &c.,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act amending the act entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the counties of Westchester, Putnam, Dutchess, Rensselaer, Rockland, Chemung, and the town of Newburgh, in the county of Orange,' passed April 16, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Munroe asked for and obtained leave to introduce a bill entitled "An act to allow the Syracuse water works company to increase their capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Conger,

Resolved, That the State Engineer and Surveyor be requested to report to this Legislature at an early day, whether it is not practicable so to construct turnouts and sidings, either or both, that they shall always be returned into and connected with the main track, and so governed and managed by a properly contrived switch, or other mechanical aid, that when from any negligence or other cause the switch is so misplaced, that any train is thrown off the track on which it is running on to any such turnout or siding, such train may regain its original course on such track without risking the imminent danger which at present attends the misplacing of any switch as aforesaid.

On motion of Mr. Rogers,

Resolved, That the petitions and papers relating to the turnpike road in Essex county, leading from Willsborough to Bosworth, in Chesterfield, be taken from the files and referred to the committee on roads and bridges.

On motion of Mr. Morgan,

Resolved, That the Auditor of the Canal Department be requested to inform the Senate what amount has been paid since January 1, 1852, on account of canal claims and damages which accrued prior to June 1, 1846; and from what portion of the

canal fund such payments were made; to what amount the same have been charged; and if said payments were not made out of the canal debt sinking fund in the manner directed by chapter 275, Laws of 1850, the reasons therefor.

Mr. Munroe moved that the Senate take up the consideration of the report of the railroad committee, to which was referred the bill entitled "An act to authorise the consolidation of certain railroad companies," with instructions to make certain amendments thereto, and report the same complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on the amendment offered by Mr. Clark to said report on the 2d inst.

Debate was had thereon, when

Mr. Munroe offered the following amendment as a substitute for the said amendment offered by Mr. Clark:

§7. When any two or more of the railroad companies named in this act are so consolidated, said consolidated company shall carry way passengers on their road at a rate not to exceed two cents per mile.

Debate was had thereon, when

Mr. Clark modified the said amendment offered by him, by striking out the words "and all other railroad companies in this State."

At a quarter before two o'clock, p. m., the Senate took a recess.

FOUR O'CLOCK, P. M.

The Senate again met.

On request of Mr. Babcock, the Clerk called the roll; and it appearing that there were but thirteen Senators present,

On motion of Mr. Babcock,

The Senate adjourned until 11 o'clock, to-morrow morning.

TUESDAY, FEBRUARY 8, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Parks.

The journal of Saturday was read and approved.

After the reading of the journal,

Mr. McMurray rose to a question of privilege, to wit: imputations contained in a petition from John L. O'Sullivan, presented to the Senate on the 1st instant by the Senator from the 7th, and as appears on the journal of the 4th inst., and on the conclusion of his remarks in reply to such imputations,

Mr. Cooley called for the consideration of the resolution offered by Mr. Babcock on the 4th inst., in relation to said petition.

The President announced the question to be on the amendment offered by Mr. Munroe, to said resolution of Mr. Babcock.

Debate was had thereon, when

Mr. Cornell moved to lay the present order of business on the table.

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	McMurray	Smith	
Bennett	Cornell	Kirby	Pierce	Vanderbilt	
Bristol	Davenport				12

FOR THE NEGATIVE.

Babcock	Cooley	Munroe	Taber	Ward	
Beach	Huntington	Otis	Upham	Williams	
Beekman	McElwain	Platt	VanSchoonhoven	Wright	
Clark	Morgan				17

After further debate on the said question of privilege, and at a quarter before 2 o'clock, p. m., the Senate took a recess.

FOUR O'CLOCK, P. M.

The Senate again met.

The President announced the special order to be the consideration of the bill entitled "An act to incorporate the Atlantic and Pacific Railroad company."

Mr. Bennett moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to the committee on railroads, with instructions to report the same complete.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Davenport	Otis	Snow	
Beekman	Conger	Jones	Rogers	Upham	
Bennett	Cornell	Munroe	Smith		14

FOR THE NEGATIVE.

Babcock	McElwain	Pierce	Taber	Williams	
Cooley	Morgan	Platt	Vanderbilt	Wright	
Kirby					11

On motion of Mr. Upham,
The Senate then adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 9, 1853.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Williams presented the petition of John D. Russ, for the passage of an act to incorporate the society of Natural History, which was referred to the committee on literature.

Mr. Huntington presented the petition of sundry citizens of Oneida co., asking for the immediate passage of a bill which has passed the Assembly, providing for the raising of \$1,500, to finish and furnish the court house in the city of Utica, which was referred to the committee of the whole.

Mr. Huntington presented the remonstrance of 1200 inhabitants of the city of Utica, against the passage of the act to prevent grants and devises to ecclesiastical officers from vesting in their successors, which was referred to the committee of the whole.

Mr. Williams presented the petition of citizens of the county of Ontario asking that provision be made for the speedy enlargement and improvement of the Cayuga and Seneca canal, which was referred to the committee on canals.

Mr. Huntington presented the petition of De Huron Lent, praying for canal damages, which was referred to the committee on claims.

Mr. Taber presented the remonstrance of C. L. Austin, Michael Clark, Thomas Noonan, Peter Morange and 894 other citizens of Albany, against the passage of an act to prevent grants or devises to ecclesiastical officers from vesting in their successors, which was referred to the committee of the whole.

Mr. Morgan presented the petition of managers of the N. Y. institution for the blind, praying for an appropriation, which was referred to the committee on finance.

Mr. Huntington presented the petition of sundry inhabitants of the city of Utica, praying for the immediate passage of the Assembly bill to authorise the raising of \$1,500 to complete and furnish the court house in said city, which was referred to the committee of the whole.

Mr. Taber presented the remonstrance of Hon. Thomas Kearney, John Tracey, James Reed and 797 other citizens of Albany, against the passage of an act to prevent grants or devises to ecclesiastical officers from vesting in their successors, which was referred to the committee of the whole.

Mr. Huntington presented affidavits in relation to the claim of M. L. & W. E. Worden, for short measurement of land in Fish creek reservation, which was laid on the table.

Mr. Rogers presented the petition of members of the masonic fraternity of the county of Yates, for the incorporation of the

grand lodge of the State of New-York, which was referred to the committee of the whole.

Mr. Williams presented the petition of the citizens of the county of Seneca in favor of the enlargement of the Cayuga and Seneca canal, which was referred to the committee on canals.

Mr. Williams presented the petition of the Hon. T. A. Johnson and sundry other citizens of the county of Steuben, asking that provision be made by law for enlarging and improving the Cayuga and Seneca canal, which was referred to the committee on canals.

Mr. Wright presented the petition of 200 members of the masonic fraternity residing in the county of Chenango, asking for the incorporation of the grand lodge, which was referred to the committee of the whole.

Mr. Kirby presented the petition of citizens of Niagara Falls for a foot bridge across the Niagara river at that place, which was referred to the committee on roads and bridges.

Mr. Conger presented the memorial of Jonathan Sturges, Wm. T. McCoun, and others, citizens of New-York, praying for the passage of the accompanying act to incorporate the New-York homeopathic association with a view to the establishment of one or more hospitals, dispensaries and infirmaries in said city, which was referred to the committee on medical colleges and societies.

Mr. Kirby presented the petition of the directors of the Lewiston suspension bridge and others, for a foot bridge across the Niagara river at Niagara Falls, which was referred to the committee on roads and bridges.

Mr. Kirby presented the petition of citizens of Lockport, Niagara county, for a foot bridge across the Niagara river at Niagara Falls, which was referred to the committee on roads and bridges.

Mr. Taber presented the petition of Samuel H. Davies and sixty others, inhabitants of Albany co., for a division of the county, which was referred to the committee on the erection and division of towns and counties.

Mr. Taber presented the petition of S. T. Powell and 29 others, inhabitants of the country towns of Albany co., for a division of the county, which was referred to the committee on the erection and division of towns and counties.

Mr. Bristol presented four several remonstrances against the passage of the Catskill town tax bridge bill, which was referred to the committee on the internal affairs of towns and counties.

Mr. Pierce presented the petition of Mr. Hermance of Greene co., for an extension of the jurisdiction of justices' courts to cases of assault and battery and slander, which was referred to the committee on the judiciary.

Mr. Morgan presented the petition of a large representation of the bar of New-York, for an earlier publication of the Session laws, which was referred to the committee on the judiciary.

Mr. Davenport presented the petition of citizens of the city of New-York, asking the passage of a law to incorporate the grand lodge, which was referred to the committee of the whole.

Mr. Jones, from the committee on claims, to which was referred the papers of Christianna Webber for relief, reported, and asked and obtained leave to introduce a bill entitled "An act to refund certain moneys to Christianna Webber," which was read the first time, and by unanimous consent, was also read the second time, and committed to the committee of the whole.

Mr. Jones, from the committee on claims, to which was referred the petition of Constant Brown for damages, &c., reported adversely, and moved that the prayer of the petitioner be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act to incorporate the Greenwood cemetery," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to allow the Syracuse water works company to increase their capital stock," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to incorporate the New-York corn exchange," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act authorizing a tax upon the taxable inhabitants of the town of Esopus for the payment of a judgment recovered against and costs and expenses incurred by John W. Shultz, late overseer of the poor of the town of Esopus," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act confirming the sale of gospel and school lots in the towns of Oswego, Hannibal and Granby, in the county of Oswego, and authorising the sale of portions of such lots now remaining unsold," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act authorising the superintendent of common schools in the town of Homer, to sell certain school lands, and also to confirm

the title of others in the towns of Cortlandville and Homer," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the select committee, to which was referred the bill entitled "An act to enable the supervisors of the city and county of New-York to raise money by tax," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

The President presented the tenth annual report of the managers of the State lunatic asylum, which was referred to the committee on charitable and religious societies.

Also, the first annual report of the Irving savings institution in the city of New-York, which was referred to the committee on banks and insurance companies.

Mr. Morgan presented the first annual report of the De Witt dispensary in the city of New-York, which was referred to the committee on charitable and religious societies.

Mr. Huntington presented the first annual report of the Rome savings bank to the Legislature of the State of New-York, which was referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act to incorporate the Hyde Park and Esopus ferry company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice,

Mr. Morgan asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Clinton Hall association of the city of New-York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. McElwain gave notice that he would, at an early day, ask leave to introduce a bill in relation to common schools in the village of Warsaw.

Mr. Munroe gave notice that he would, at an early day, ask leave to introduce a bill to amend the general plank road act so as to allow the construction of plank roads through lands owned by Indians.

In pursuance of previous notice,

Mr. Taber asked for and obtained leave to introduce a bill entitled "An act to extend the time for a compliance by the Albany and Susquehanna railroad company with the 47th section of the general railroad act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bill :

"An act authorising the trustees of the Brooklyn female academy to sell and dispose of their real and personal estate."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Pierce,

Resolved, That the printer be required to print and return to the Senate the bills sent to him for that purpose, in the order in which they are received from the Clerk.

On motion of Mr. Cooley,

Resolved, That the general orders be hereafter made the special order for Wednesdays and Fridays, immediately after the presentation of petitions.

On motion of Mr. Wright,

Resolved, That the Auditor of the Canal Department, is hereby instructed and required to report to the Senate, the amount of tolls received at the several offices for collection on the Champlain canal on all goods or productions imported from the British Provinces in North America, and also the amount of tolls received on bonded goods and exported to said Provinces, for the years 1851 and 1852, and distinguishing the amounts of each year.

Mr. Munroe called for the consideration of the report of the committee on railroads, to which was recommitted the bill entitled "An act to authorize the consolidation of certain railroad companies," with power to report complete.

The President announced the question to be on the first division of the propositions contained in the amendments offered by Mr. Clark and Mr. Munroe, to wit, in striking out the amendment as offered by Mr. Clark.

Mr. Clark called for the ayes and noes.

The President put the question whether the Senate would agree to the said first division, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babeock	Cooley	McElwain	Munroe	Taber
Bartlett	Davenport	McMurray	Platt	Vanderbilt
Bennett	Huntington	Morgan	Snow	Ward
Bristol				

16

FOR THE NEGATIVE.

Beach	Conger	Jones	Pierce	Williams
Clark	Cornell	Otis	Rogers	Wright

10

The President announced the second division, to wit, the substitute or amendment as offered by Mr. Munroe.

Mr. Pierce offered the following amendment to the said amendment of Mr. Munroe: "and that the said roads shall in all cases carry the same class of passengers, in the same class of cars, for the same distance, at one and a uniform rate of fare."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

Mr. McElwain offered the following additional amendment to Mr. Munroe's amendment: "and in no case shall the way fare exceed the whole through fare."

Debate was had thereon, when

Mr. McElwain called for the ayes and noes.

The President then put the question whether the Senate would agree to the said amendment, and it was decided in the negative as follows :

FOR THE AFFIRMATIVE.

Beach	Cooley	Otis	Rogers	VanSchoenhoven
Clark	Jones	Pierce	Snow	Wright
Conger	McElwain			28

FOR THE NEGATIVE.

Babcock	Cornell	Kirby	Platt	Vanderbilt
Bennett	Davenport	Morgan	Smith	Ward
Bristol	Huntington	Munroe	Taber	14

Mr. Pierce then moved to amend the said amendment previously offered by him and adopted by the Senate, by inserting after the word "cars," as follows : "for the same distance."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

Mr. Platt moved to reconsider the vote on the said amendments of Mr. Pierce, as adopted by the Senate.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on the said amendments of Mr. Pierce.

Debate was had thereon, when

Mr. Pierce withdrew his said amendments.

Mr. Munroe then offered the following amendment to the amendment or substitute previously offered by him : "And the said roads shall in all cases charge a uniform rate for tickets for emigrants carried similar distances over their road."

The President then put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

Mr. Beach offered the following amendment : "Provided the rate of fare charged for carrying way passengers shall in no case exceed one quarter of a cent per mile the rate charged for carrying passengers the whole length of line," and called for the ayes and noes thereon.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	Pierce	VanSchoenhoven	Wright
Bristol	McElwain	Rogers	Williams	9

FOR THE NEGATIVE.

Babcock	Cooley	McMurray	Platt	Vanderbilt
Bennett	Davenport	Morgan	Smith	Ward
Conger	Jones	Munroe	Taber	14

The President announced the question to be on the amendment or substitute previously offered by Mr. Munroe, and as amended by his amendment, adopted by the Senate.

Mr. Clark called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Conger	Munroe	Otis	Pierce	Wright
Jones				

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Rogers	Vanderbilt
Beach	Cooley	McMurray	Smith	VanSchoonhoven
Bennett	Davenport	Morgan	Snow	Ward
Bristol	Kirby	Platt	Taber	

Mr. Wright offered the following amendment to the report of said committee on said bill:

§ 7. Whenever the said central line of railroads, or any railroads consolidated under this act, shall be intersected by or connected with one or more other railroads; or whenever one or more other railroads shall terminate at or near the same point on the line of the said central railroads, or of any railroad consolidated under this act; the said central line of railroads and all railroads consolidated, and every company formed under this act, shall grant and afford to such other aforesaid road and roads, fair, impartial and equal terms, accommodations and facilities in the transportation of cars, passengers, baggage and freight over and upon their said roads, and over and upon such other roads; and shall also grant and afford to each of said other roads, equal terms, accommodations and facilities in the use and interchange of passenger, baggage, freight and other cars; and also, in furnishing passage tickets to passengers who may come over, or wish to go over either of such other roads; and shall receive and transport all passengers, baggage, freight and mails coming from or going to such other roads or any or either of them, on equal and the same terms of accommodation and at the same rate or price per passenger, or per ton, per mile, as the case may be; and shall make no difference or discrimination in charge for the transportation of or in accommodation to passengers, baggage, freight, or mails coming from or going to such other roads, or any or either of them; and shall transport all passengers, baggage, freight and mails coming from or going to such other roads or any or either of them, upon the same terms and charges as passengers, baggage, freight or mails shall be transported upon said central line of railroads or consolidated road, or roads, or road of any company formed under this act, or any or either of them, or any part thereof. And in case either of the said other roads shall deem themselves aggrieved by the arrangements or conduct of the said central line of railroads, or of the roads consolidated, or

the company formed under this act, such aggrieved road may maintain an action for, and recover in their corporate name, any damage such aggrieved road may have sustained by reason of such arrangements or conduct, from time to time and as often as such damage may occur; and may in addition thereto, from time to time as may be necessary, apply by petition, setting forth the facts to the supreme court of this State, at general or special term, in either judicial district, for the appointment of three commissioners to enquire into the alleged grievance: and such court shall, thereupon, appoint three disinterested persons commissioners, who shall have power to examine into the alleged grievance, and for that purpose to administer oaths to, and take the testimony of witnesses, at such place and places and upon such notices as said commissioners shall direct, and to grant adjournments, and personally to view the premises. And the said commissioners, or a majority of them shall prescribe such regulations in the matter as in their judgment shall be just, and award all damages as such complaining road may have, in their judgment sustained; and may award such an amount for costs, expenses, and counsel fees to such complaining road as shall appear to them just. The award of said commissioners as aforesaid shall be confirmed by the said supreme court upon notice as for a motion; and when so confirmed shall be binding upon the parties thereto for the term of two years therefrom: and the said court shall compel the performance thereof by attachment, mandamus, or otherwise as may be necessary.

Debate was had thereon, when

Mr. Wright moved that the said report of the railroad committee be laid upon the table, and that the amendment offered by him be printed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

After debate on the said amendment as offered by Mr. Wright,

Mr. Van Schoonhoven moved that the said report be re-committed to the committee on railroads, with instructions to examine and report upon the propriety of adopting the pending amendments, and that they make their report to-morrow morning.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Beach moved to lay the said report upon the table, and that the amendment of Mr. Wright now pending, be printed.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach
Clark

Ode
Rogers

VanSchoonhovenWilliams

Wright

7

FOR THE NEGATIVE.

Babcock	Cooley	Kirby	Pierce	Taber
Bennett	Cornell	McElwain	Platt	Vanderbilt
Bristol	Davenport	McMurray	Snow	Ward
Conger	Jones	Munroe		

15

Mr. Wright moved that the Senate do now adjourn.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	McElwain	Pierce	VanSchoonhoven	Wright
Clark	Otis	Platt		

6

FOR THE NEGATIVE.

Babcock	Cornell	McMurray	Smith	Vanderbilt
Bristol	Davenport	Munroe	Snow	Ward
Conger	Jones	Rogers	Taber	Williams
Cooley	Kirby			

17

Mr. Williams called for the reading of the said amendment offered by Mr. Wright.

The clerk commenced reading the said amendment, when, Mr. Platt moved to dispense with the further reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Platt then moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

Mr. President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Otis	Platt	VanSchoonhoven
Beach	McElwain	Pierce	Smith	Wright
Clark				

11

FOR THE NEGATIVE.

Babcock	Cooley	Kirby	Rogers	Vanderbilt
Bennett	Cornell	McMurray	Snow	Ward
Bristol	Davenport	Morgan	Taber	Williams
Conger	Jones	Munroe		

18

The amendment, as offered by Mr. Wright, having been read through by the clerk,

Mr. Williams offered the following resolution:

Resolved, That the bill to consolidate certain railroads, together with all pending amendments thereto, be referred to the judiciary committee with the request that they examine and report at an early day upon its constitutionality.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Otis	Rogers	Williams	Wright	
Cornell	Pierce	VanSchoonhoven			8

FOR THE NEGATIVE.

Babcock	Cooley	Jones	McMurray	Platt	
Bennett	Davenport	Kirby	Morgan	Snow	
Bristol	Huntington	McElwain	Munroe	Taber	
Conger					16

Mr. Otis moved that the Senate do now adjourn.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	McElwain	Pierce	Snow	Wright	
Clark	Otis	Rogers	VanSchoonhoven		9.

FOR THE NEGATIVE.

Babcock	Cooley	Huntington	McMurray	Platt	
Bennett	Cornell	Jones	Morgan	Taber	
Bristol	Davenport	Kirby	Munroe	Williams	
Conger					18

The President put the question whether the Senate would agree to the said amendment as offered by Mr. Wright, and it was decided in the negative.

Mr. Munroe moved to reconsider the vote of the Senate on the amendment heretofore offered by him.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Wright moved that the Senate do now adjourn.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Cooley	Otis	Snow	Williams	
Bennett	Huntington	Pierce	VanSchoonhoven	Wright	
Clark	McElwain				12

FOR THE NEGATIVE.

Babcock	Cornell	Kirby	Munroe	Rogers	
Bristol	Davenport	McMurray	Platt	Taber	
Conger	Jones	Morgan			13

Mr. Cornell moved to amend by striking out the words "a rate of fare not to exceed two cents per mile," and insert "a rate of fare per mile not exceeding that charged for carrying passengers over the whole length of said road."

Debate was had thereon, when

On motion of Mr. Otis,

The Senate adjourned until 11 o'clock, to-morrow morning.

THURSDAY, FEBRUARY 10, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Parks.

The journal of yesterday was read and approved.

Mr. Huntington presented the petition of the superintendent of the poor of the county of Onedia, praying for amendment of the laws providing for appointment of commissioners of emigration and other purposes, which was referred to a select committee on that subject.

Mr. Babcock presented the petition to incorporate the German mission church of the city of Buffalo, which was referred to the committee on charitable and religious societies.

Mr. Morgan presented the memorial of the officers and directors of the New-York Ophthalmic hospital for an appropriation, which was referred to the committee on charitable and religious societies.

Mr. Vanderbilt presented the petition of the inhabitants and commissioners of Bushwick for extension of time to plot town, which was referred to the committee on the incorporation of cities and villages.

Mr. Wright, on behalf of Mr. VanSchoonhoven, presented the memorial of the trustees of the Rensselaer Polytechnic Institute, which was referred to the committee on literature.

Mr. Wright presented the remonstrance of Francis Camfield, Jonas Newman and 1498 other citizens of Troy, against the passage of an act to prevent grants and devises to ecclesiastical officers from vesting in their successors, which was referred to the committee of the whole.

Mr. Pierce presented the petition of citizens of Greene co., for the Catskill bridge, which was referred to the committee on the internal affairs of towns and counties.

Mr. Clark presented the petition of citizens of Ontario Co., for a law prohibiting the sale of intoxicating liquors as a beverage, which was referred to the committee on the internal affairs of towns and counties.

Mr. Morgan presented the memorial of Hon. Jacob A. Westervelt, George A. Matsell, and other citizens of New-York, for the passage of a law providing for greater facilities for improving and elevating the minds of the rising generation, which was referred to the committee on literature.

Mr. Williams presented the remonstrance of Garry Chambers and other citizens of the town of Groton, county of Tompkins, against the passage of a law discontinuing certain roads in said town, which was referred to the committee on roads and bridges.

Mr. Clark presented the petition of Sunderland P. Gardiner, and 45 other citizens of Ontario county, for the repeal of the law exempting the property of ministers from taxation, which was re-

ferred to the committee on the internal affairs of towns and counties.

Mr. Pierce presented the petition of inhabitants of Catskill for the bridge, which was referred to the committee on the internal affairs of towns and counties.

Mr. Platt presented the petition of John Merrill praying for the payment to him of balance of moneys ascertained to be due him under the act of 1852, on account of erroneous re-sale of lands by the State, which was referred to the committee on claims.

Mr. Williams presented the petition of citizens of the county of Tompkins, in favor of draining the Cayuga marshes, which was referred to a select committee of Senators from the twentieth, twenty-first, and twenty-second districts.

Mr. Taber presented the petition of the president, directors and first company of the great western turnpike road, to abandon all of their road west of twenty-seven miles on their road and for other relief, which was referred to the committee on roads and bridges.

Mr. Vanderbilt presented a communication from the Hon. William Mitchell and J. J. Roosevelt, to His Excellency, the Governor, for the pardon of Joseph Clark, which was referred to the committee on the judiciary.

Mr. Wright presented the petition of the president, directors and first company of the Northern turnpike road to abandon a part of their road, which was referred to the committee on roads and bridges.

Mr. Vanderbilt presented a communication from the Secretary of war in relation to cession of lands at Sacketts Harbor, which was referred to the committee on the judiciary.

Mr. Bennett, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to repeal the act for registry of births, marriages and deaths, passed April 28th, 1847," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to extend the time for a compliance by the Albany and Susquehanna railroad company with the forty-seventh section of the general railroad act," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act for the incorporation of library companies," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Wright, from the committee on privileges and elections, to which was referred the bill entitled "An act to prevent corruptions in elections," reported in favor of the passage of the same

without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act to incorporate the Clinton Hall association of the city of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the title to certain lands situate in the town of Thompson, in the county of Sullivan, in George Turner, jr., and James Turner," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act relative to land devised by James Morris, deceased," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to change the name of George William Noxon to George Noxon Leavensworth," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of the State in certain real estate, of which Glasgow Walker died seized to Mary Ann Walker, his widow," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act defining the limits to the jail in the city of Utica, in and for the county of Oneida," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Munroe called for consideration of the report of the committee on railroads, to which was recommitted the bill entitled "An act to authorize the consolidation of railroad companies," with power to report complete.

The President announced the question to be on the amendment to said report offered by Mr. Cornell.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Clark
Conger

Cornell
Pierce

Rogers
VanSchoonhoven

Williams

Wright

FOR THE NEGATIVE.

Babecek	Cooley	Kirby	Munroe	Taber
Bartlett	Davenport	McElwain	Platt	Upham
Bennett	Huntington	McMurray	Smith	Vanderbilt
Bristol	Jones	Morgan	Snow	Ward

20

The President announced the question to be on the 1st division of the propositions contained in the amendments offered by Mr. Munroe, to wit: to require way passengers to be carried at a rate not exceeding two cents per mile.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said first division, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babecek	Coager	McElwain	Platt	Upham
Bartlett	Davenport	McMurray	Smith	Vanderbilt
Bennett	Jones	Munroe	Snow	Ward
Bristol	Kirby	Pierce	Taber	Wright

20

FOR THE NEGATIVE.

Clark	Cooley	Huntington	Morgan	VanSchoenhoven
-------	--------	------------	--------	----------------

5

The President then announced the question to be on the 2d division of the propositions contained in the said amendments offered by Mr. Munroe, to wit, requiring a uniform rate of fare for emigrants.

Mr. Pierce moved to amend said proposition by inserting after the word "charge," in the said amendment, as follows: "Steamboat companies or lines of transportation on the Hudson river."

Mr. Upham called for the ayes and noes.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol	Jones	Pierce	VanSchoenhoven	Wright
Clark	Otis	Rogers		

8

FOR THE NEGATIVE.

Bartlett	Kirby	Munroe	Taber	Vanderbilt
Bennett	McElwain	Platt	Upham	Ward
Huntington	McMurray	Snow		

12

The President then put the question whether the Senate would agree to the 2d division of the propositions contained in said amendments offered by Mr. Munroe, and it was decided in the negative.

Mr. Williams offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the bill to consolidate certain railroad companies be referred back to the railroad committee with instructions, to report a general bill.

Debate was had thereon, when

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Clark	Jones	VanSchoonhoven	Williams	Wright	
Cornell	Otis				7

FOR THE NEGATIVE.

Babcock	Conger	Kirby	Platt	Upham	
Bartlett	Cooley	McElwain	Rogers	Vanderbilt	
Bennett	Davenport	Morgan	Snow	Ward	
Bristol	Huntington	Munroe	Taber		19

The President then put the question on agreeing to the report of committee on said bill as amended, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Davenport gave notice that he would at an early day introduce a bill entitled an act to enable the directors of the Ox Bow and Evans mills plank road company, to make an assessment on the stockholders of said road for the payment of the debts of the company and for other purposes.

Mr. VanSchoonhoven gave notice that he would at an early day ask leave to introduce a bill to amend an act entitled "An act to amend the charter of the city of Troy in relation to the number and manner of electing assessors, and to abolish the office of general assessor, passed February 16, 1852," so as to modify the present rate of compensation of assessors, and regulate the time and place of their meeting

In pursuance of previous notice,

Mr. McElwain asked for and obtained leave to introduce a bill entitled "An act in relation to common schools in the village of Warsaw," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice,

Mr. Williams asked for and obtained leave to introduce a bill entitled "An act to revise and consolidate the laws in relation to the village of Ithaca," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Pierce offered for the consideration of the Senate the following resolution, to wit:

Resolved, That the Senate meet hereafter at 10 o'clock A. M.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative.

On motion of Mr. Pierce,

Resolved, That the papers on file relating to the organization of the town of Gardiner in the county of Ulster be taken from

the files and referred to the committee on the internal affairs of towns and counties.

Mr. Cooley offered for the consideration of the Senate a concurrent resolution in the words following to wit :

Resolved, (If the Honorable the Assembly concur), that the State Engineer and Surveyor be requested to examine, ascertain and report to this Legislature, at his earliest convenience, whether a bridge can be constructed over the Hudson River at Albany without materially obstructing the navigation of said river ; and if so, at what point or points, and upon what general plan of construction.

Ordered, That said resolution be laid upon the table.

On motion of Mr. Williams.

Resolved, That a respectful message be sent to the Assembly ; requesting that the petition and papers relative to discontinuing a certain road or highway in the town of Groton, county of Tompkins, be taken from the files of the Assembly and sent to the Senate, and when received that they be referred to the committee on roads and bridges.

Mr. Kirby offered for the consideration of the Senate, a resolution in the words following, to wit :

Resolved, That there be printed three hundred copies of the Adjutant General's report for the use of the Adjutant General's department.

On motion of Mr. Jones.

Resolved, That the petition of Constant Brown be recommitted to committee on claims for re-examination, the bill of particulars of his claim having been mislaid, but subsequently found by said committee.

By unanimous consent,

Mr. Van Schoonhoven asked for and obtained leave to introduce a bill entitled "An act to amend an act, entitled 'An act to amend the charter of the city of Troy in relation to the number and manner of electing assessors, and to abolish the office of general assessors, passed February 16, 1852,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Cornell moved to take from the table the report of the committee of the whole on the bill entitled "An act to divide the county of Steuben into two jury districts, and to provide for holding courts in and for said county, alternately in each of said districts."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Beach offered for the consideration of the Senate, a resolution in the words following, to wit :

Resolved, That hereafter the Senate meet daily at 10 a. m. and adjourn at a quarter before 2 o'clock, and called for the ayes and noes thereon.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Pierce	Ward
Bartlett	Cornell	McElwain	Platt	Williams
Beach	Huntington	Morgan	Rogers	Wright
Bristol	Jones	Otis	Upham	30

FOR THE NEGATIVE.

Bennett	Monroe	Snow	Vanderbilt	VanSchoenhoven
Davenport				6

Mr. Wright offered for the consideration of the Senate a resolution, in the words following, to wit:

Resolved, That it is the judgment of this Senate, for the purpose of securing the purity of legislation, that no member thereof shall be allowed to vote on the passage of a bill or act, in which, he or they may be either directly or personally interested.

Debate was had thereon, when

* On motion of Mr. Wright,

The Senate adjourned until 10 o'clock, to-morrow morning.

FRIDAY, FEBRUARY 11, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The Journal of yesterday was read and approved.

Mr. McElwain presented the petition of legal voters of the village of Warsaw, in Wyoming co., for authority to establish an academical department in the union school in said village, which was referred to the committee on literature.

Mr. Snow presented the petition of John Adams and Robert Adams for relief, on account of canal damages, which was referred to the committee on claims.

Mr. Davenport presented two petitions of citizens of Lewis and Jefferson counties, for relief to the Lowville and Carthage plank road company, which were referred to the committee on roads and bridges.

Mr. Otis presented the petition of citizens of Dutchess county for a law separating the office of State Superintendent of Common Schools from Secretary of State &c., which was referred to the committee on literature.

Mr. Clark presented the petition of John Lapham and other legal voters of Ontario county, for a law prohibiting the sale of

intoxicating drinks as a beverage, which was referred to the committee on the internal affairs of towns and counties.

Mr. Clark presented the petition of 40 ladies of same county on same subject, which was referred to the committee on the internal affairs of towns and counties.

Mr. Williams presented the petition of N. F. Hibbard and other citizens of the village of Ithaca, in the county of Tompkins, for a law providing for the speedy improvement of the Cayuga and Seneca canal, which was referred to the committee on canals.

Mr. Morgan presented the memorial of Solomon Jenner, and other citizens of New-York, for the passage of a law to afford greater facilities for improving the minds of the rising generation, which was referred to the committee on literature.

A message from the Assembly was received and read, informing that they have this day ordered the printing of five extra copies of the report of the trustees of the idiot asylum for each member, and five hundred copies for the use of the trustees.

This day having been set apart for the consideration of general orders, by resolution of Mr. Cooley adopted on the 9th inst., after the presentation of petitions,

Mr. Huntington called for the consideration of the report of the committee of the whole on the bill entitled "An act to indemnify William E. Worden and Morgan L. Worden, for a deficiency in a lot of land sold by the Surveyor General of the State."

The President put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Cooley offered for the consideration of the Senate a resolution in the words following, to wit:

Resolved, That the bill relative to savings banks be referred to the committee on banks and insurance companies, with instructions to strike out the sixth, seventh, and eighth sections, and report the bill complete.

Debate was had thereon, when

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Cooley	McElwain	Pierce	Upham	VanSchoonhoven
Huntington	McMurray	Platt	Vanderbilt	Wright
Kirby	Morgan	Taber		
				13

FOR THE NEGATIVE.

Bartlett	Bristol	Conger	Munroe	Snow
Bennett	Clark	Jones	Rogers	Williams
				10

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorize the formation of corporations for building purposes."

And after some time spent thereon, Mr. Van Schoonhoven, from said committee, reported in favor of the passage of the same with amendments.

Mr. Babcock moved that the said report and bill be referred to the committee on the judiciary, with instructions to report the same complete.

Mr. Conger moved to amend the said motion of Mr. Babcock, by instructing the said committee to strike out all that part of the tenth section in said bill, including within brackets, to wit, the words "to an amount equal to the amount of stock held by them respectively."

Debate was had thereon, when

Mr. Conger withdrew his said amendment.

Mr. Cornell renewed the same, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion of Mr. Cornell, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Cornell	Williams	4
----------	--------	---------	----------	---

FOR THE NEGATIVE.

Babcock	Huntington	McMurray	Rogers	Vanderbilt
Bennett	Jones	Munroe	Smith	VanSchoonhoven
Bristol	McElwain	Platt	Upham	Wright
Cooley				16

The President then put the question whether the Senate would agree to the said motion of Mr. Babcock, and it was decided in the affirmative.

A communication was received from the State Engineer and Surveyor, in reply to a resolution of the Senate of the 7th inst., in relation to turnouts, switches, &c., on railroads, which having been read, was referred to the committee on railroads.

Also, in answer to resolution of the Senate of January 10th, in relation to freight transported on railroads, to and from tide water, which was referred to the committee on railroads.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act repealing an act for the establishment of a Teachers' Institute."

"An act to authorize the commissioners of highways of the town of Triangle, in the county of Broome, to erect and maintain a free bridge across the Tioughnioga river, above the junction of the said river with the Otselic river."

And after some time spent thereon, Mr. Bennet, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to enable Henry K. S. Prichard to assign or release and quit claim his interest in a certain trust."

"An act to amend an act, entitled 'An act to provide for a supply of water in the village of Newburgh, passed March 30th, 1852,' and to confirm the proceeding of the water commissioners, trustees and electors of said village under said act."

And after some time spent thereon, Mr. Huntington from said committee, reported that they had agreed to the said first mentioned bill with an amendment thereto, and to the second mentioned bill without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills.

"An act to amend section 4, of title 3, of chapter 1, of part 3, of the Revised Statutes, relating to the compensation of constables attending upon the terms of the supreme court."

Assembly bill, entitled "An act to amend the act, entitled 'An act to consolidate and amend the act to incorporate the city of Buffalo, passed April 20th, 1832,' and the various acts amendatory thereof, passed April 17, 1843."

"An act to provide for certain expenses chargeable upon the canal fund."

And after some time spent thereon, Mr. Platt, from said committee, reported that they had agreed to the said first mentioned bill with amendments, and agreed to the third mentioned bill without amendment, which report was agreed to and said bills ordered engrossed for a third reading.

Mr. Platt from said committee reported that they had agreed to the said second mentioned bill without amendment, which report was agreed to, and said bill ordered to a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to amend an act to incorporate the village of Penn Yan, in the county of Yates,' passed March 23, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to enable the trustees of the Newburgh Academy to sell their lands, and for other purposes."

Assembly bill, "An act to authorise the trustees of the village of Dansville, Livingston county, to levy a tax to pay a reward offered by said trustees in July, 1851"

And after some time spent thereon, Mr. Davenport, from said committee reported in favor of the passage of said first mentioned bill without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The President then put the question whether the Senate would agree to the report of the committee on said second mentioned bill, and it was decided in the affirmative.

Ordered, That said bill do have its third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to establish a ferry across the Hudson river between the village of Castleton, in the county of Rensselaer, and the town of Bethlehem, in the county of Albany."

"An act for the support of the poor in the town of Newburgh, in the county of Orange."

And after some time spent thereon, Mr. Munroe, from said committee, reported in favor of the passage of said bills without amendment.

The President put the question whether the Senate would agree to the report of the committee on said first mentioned bill, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

The President then put the question whether the Senate would agree to the report of the committee on said second mentioned bill, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act for the relief of consolidated school district number seven in the town of Sherburne, county of Chenango."

"An act to provide for the distribution of standard works of American authors among the libraries of district schools."

And after some time spent thereon, Mr. Williams, from said committee, reported in favor of the passage of said first mentioned bill with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Williams, from said committee, reported progress on said second mentioned bill, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bills.

"An act in relation to school district number one in the town of Seneca, county of Ontario."

"An act to enable the Staten Island railroad company to own and run steam ferry boats."

And after some time spent thereon, Mr. Ward, from said committee, reported progress on said first mentioned bill, and asked for and obtained leave to sit again.

Mr. Ward, from said committee, reported in favor of the passage of said second mentioned bill without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to amend the charter of the Oxford fire company."

"An act to amend an act to incorporate the Montgomery mutual insurance company, passed March 30, 1836."

And after some time spent thereon, Mr. McElwain, from said committee, reported in favor of the passage of the said first mentioned bill without amendment, which report was agreed to, and said bill ordered to a third reading.

The hour of a quarter to two o'clock, p. m., having arrived, the committee arose without coming to any conclusion on said second mentioned bill.

At a quarter before two o'clock, p. m.

The Senate then adjourned until 10 o'clock to-morrow morning.

SATURDAY, FEBRUARY 12, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Parks.

The journal of yesterday was read and approved.

Mr. Conger presented the remonstrance of 903 german citizens of New-York, against the passage of an act to prevent grants or devises to ecclesiastical officers from vesting in their successors, which was referred to the committee of the whole.

Mr. Otis presented the remonstrance of 1500 german citizens of the city of New-York on the same subject, which was referred to the committee of the whole.

Mr. Clark presented the petition of Peter Nelson, executor &c. of James Matheson deceased, for proceeds of lands in Delaware county, sold by the Commissioners of the Land Office, which was referred to the committee on the judiciary.

Mr. Beekman presented the petition of A. G. Benson and others for a law authorising the Marine Railway at the Sandwich Islands under a grant from Hawaiian Government, which was referred to the committee on commerce and navigation.

Mr. Beach presented the petition of 50 citizens of Auburn for an appropriation to drain the Cayuga Marshes, which was referred to a select committee.

Mr. Babcock presented the remonstrance of John P. Stanton, Bernard Dolan, and other citizens of Buffalo, Erie county, against the passage of a law to prevent grants or devises to ecclesiastical officers from vesting in their successors, which was referred to the committee of the whole.

Mr. Babcock presented the remonstrance of George A. Branch, Gregory Ritt, and other german citizens of Buffalo, Erie co., on the same subject, which was referred to the committee of the whole.

Mr. Bennett presented the petition of citizens of Otsego co., in behalf of Elihu C. Wright for relief, which was referred to the committee on the judiciary.

Mr. Snow presented the petition of Henry S. Brogdon for relief, on account of canal damages, which was referred to the committee on claims.

Mr. Davenport presented the petition of stockholders of the West Martinsburgh and Copenhagen plank road company, for relief, which was referred to the committee on roads and bridges.

Mr. Beekman presented the memorial of Seaman's bank of savings in New-York, against law disposing of surplus or unclaimed balances, which was referred to the committee of the whole.

Mr. Davenport presented the petition of citizens of Lewis co., for relief to the Lowville and Carthage plank road company, which was referred to the committee on roads and bridges.

Mr. Cooley presented the petition of Alice O. Wilkin of Canajoharie, for canal damages, which was referred to the committee on claims.

Mr. Beekman presented the petition of Walter R. Jones and many other merchants and underwriters of New-York city, for a law incorporating a company to establish a Marine railway and dry dock at the Sandwich Islands under a grant from the Hawaiian government, which was referred to the committee on commerce and navigation.

Mr. Cooley, from the committee on banks and insurance companies, to which was recommitted the bill entitled "An act relative to Savings banks or institutions for savings," with instructions to make certain amendments and report the same complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Clark, from the committee on roads and bridges, to which was referred the petition of citizens of Richmond co., for repeal of certain road laws, reported, and asked and obtained leave to introduce a bill entitled "An act for the repeal of certain laws passed in 1847 and 1848, relative to highway labor in the county of Richmond," which was read the first time, and by unanimous consent, was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was recommitted the bill entitled "An act to authorise the formation of corporations for building purposes," with power to report the same complete so reported, and with an alteration of title to said bill.

Ordered, That said bill be engrossed for a third reading.

Mr. Conger, from the committee on literature, to which was referred the petition of the Chemung county educational association for an appropriation to teachers' institutes, reported adversely, and moved that the prayer of the petitioner be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to authorise the consolidation of certain railroad companies."

"An act to divide the county of Steuben into two jury districts, and to provide for the holding courts in and for said county alternately in each of said districts."

Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition of the board of supervisors of Kings co., relative to the penitentiary of said county, reported, and asked and obtained leave to introduce a bill entitled "An act relative to the penitentiary of Kings co.," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was presented the petition of the board of supervisors of Kings co., in relation to loan for county purposes, reported, and asked and obtained leave to introduce a bill entitled "An act authorising the supervisors of Kings co., to raise money by loan," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the select committee to which was referred the petition on that subject, reported, and asked and obtained leave to introduce a bill entitled "An act to enable Thomas Cypriano de Mosquera and Pedro Alcantara Herran to hold real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the petition to incorporate the German Mission church of the city of Buffalo, reported, and asked, and obtained leave to introduce a bill entitled "An act to incorporate the trustees of the German mission church and congregation of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The President presented the annual report of the trustees of the Seaman's bank for savings in the city of New-York, for December 31, 1852, which was referred to the committee on banks and insurance companies.

Also, the annual report of the Commissioners of Emigration for the year ending December 31, 1852, which was referred to a select committee.

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act to authorise the formation of corporations for ferry purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Davenport asked for and obtained leave to introduce a bill entitled "An act authorising the directors of the Ox Bow and Evans mills plank road company to assess the stockholders of said company for the payment of the debts thereof and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Wright gave notice that he would, at an early day, ask leave to introduce a bill in relation to the appropriation of a portion of earnings of convicts in our State prisons.

On motion of Mr. Babcock,

Resolved, That until otherwise ordered, the daily sessions of the Senate shall commence at half-past ten o'clock, a. m., and end at a quarter before two o'clock, p. m.

Mr. Pierce called for the consideration of concurrent resolutions offered by him on the 31st ult., in relation to assessments, valuations, &c., and offered the following amendment thereto:

Resolved, (If the Senate concur,) That the Secretary of State be requested to transmit a copy of said resolutions to the county clerk and clerk of the board of supervisors of the several counties of this State.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

Mr. Van Schoonhoven moved to amend, by adding as follows: "and also that said clerks enquire and report in said returns, whether any, and if any what, grievances complained of now exist as between individual towns or towns and cities, in the matter of raising, reducing, or equalizing assessments, made under existing provisions of law."

Debate was had thereon, when

Mr. Cooley moved that the whole subject be laid upon the table, and that the said resolutions of Mr. Pierce and the several amendments offered thereto be printed, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Clark	Huntington	Snow	Vanderbilt	Williams
Cooley	McElwain	Upham	VanSchoonhoven	Wright
Cornell				

11

FOR THE NEGATIVE.

Babcock	Bennett	Davenport	Otis	Platt
Bartlett	Bristol	Jones	Pierce	Rogers
Beekman	Conger	Kirby		

13

• The President then put the question whether the Senate would agree to the said amendment offered by Mr. Van Schoonhoven, and it was decided in the negative.

The President then put the question whether the Senate would agree to the said resolution of Mr. Pierce, as amended, and it was decided in the affirmative.

Mr. Van Schoonhoven offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the several county clerks of this State be required to report to the Senate without delay, whether any, and if any what grievances complained of now exist, as between individual towns, or between towns and cities, in the matter of raising, reducing, or equalizing assessments under existing provisions of law.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Wright called for the consideration of the resolution offered by him on the 10th inst., as follows:

Resolved, That it is the judgment of this Senate, for the purpose of securing the purity of legislation, that no member thereof shall be allowed to vote on the passage of any bill or act in which either he or they may be either directly or personally interested.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to enable the trustees of Newburgh Academy to sell their lands, and for other purposes."

"An act to amend the act entitled 'An act to provide for a supply of water in the village of Newburgh, passed March 30, 1852,' and to confirm the proceedings of the water commissioners, trustees and electors of said village under said act."

Ordered, That said bills do have their third reading.

Mr. Upham moved that the several orders of business, from that now before the Senate, through to that of the third reading of bills, be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled "An act to divide the county of Stenben into two jury districts, and to provide for holding courts in and for said county, alternately in each of said districts," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Munroe	Rogers
Bartlett	Clark	Jones	Otis	Snow
Beach	Conger	Kirby	Pierce	Ward
Beckman	Cornell	McElwain	Platt	Williams
Bennett	Davenport			

FOR THE NEGATIVE.

Upham Wright

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the consolidation of certain railroad companies," having been read a third time, and the clerk having called the name of Mr. Beach from the division list;

Mr. Beach arose and asked to be excused from voting on said bill on the ground that he had a personal interest as a stockholder in one of the railroad companies named in said bill.

Mr. Williams called for the ayes and noes on excusing Mr. Beach.

The President put the question whether the Senate would agree to excuse Mr. Beach, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clerk	McElwain	Rogers	Wright	
Bristol	Jones	Pierce	Williams		9

FOR THE NEGATIVE.

Conger	Huntington	Platt	Upham	VanSchoonhoven	
Cooley	Munroe	Snow	Vanderbilt	Ward	12
Davenport	Otis				

The clerk then proceeded with the call of the list on the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Davenport	Munroe	Snow	
Beach	Clerk	Huntington	Otis	Upham	
Beekman	Conger	Kirby	Platt	Vanderbilt	
Bennett	Cooley	McElwain	Rogers	Ward	20

FOR THE NEGATIVE.

Cornell	Pierce	VanSchoonhoven	Williams	Wright	
Jones					6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act, entitled 'An act to provide for a supply of water in the village of Newburgh, passed March 30, 1852,' and to confirm the proceedings of the water commissioners, trustees and electors of said village under said act," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Platt	VanSchoonhoven
Beekman	Cornell	McElwain	Rogers	Ward
Bristol	Davenport	Munroe	Upham	Williams
Clark	Huntington	Otis	Vanderbilt	Wright
Conger	Jones	Pierce		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the trustees of the Newburgh Academy to sell their lands, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Jones	Otis	Upham
Beekman	Cornell	Kirby	Pierce	VanSchoonhoven
Bristol	Davenport	McElwain	Platt	Ward
Clark	Huntington	Munroe	Rogers	Williams
Conger				

21

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A bill was received from the Assembly for concurrence, entitled "An act to confirm and legalize the official acts of William H. H. Fenton, a justice of the peace of the town of Carroll, in the county of Chautauque," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Otis	Vanderbilt
Beach	Cooley	Kirby	Platt	Ward
Beekman	Cornell	McElwain	Rogers	Williams
Bristol	Davenport	Morgan	Snow	Wright
Clark	Huntington	Munroe	Upham	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill, entitled "An act to amend the act, entitled 'An act to consolidate and amend the act to incorporate the city of Buffalo, passed April 20th, 1832,' and the various acts amendatory thereof, passed April 17, 1843," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Snow
Bartlett	Conger	Kirby	Otis	Upham
Beekman	Cooley	McElwain	Platt	Vanderbilt
Bennett	Davenport	Morgan	Rogers	Williams
Bristol	Huntington			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill, entitled "An act to authorise the trustees of the village of Dansville, Livingston county, to levy a tax to pay a reward offered by said trustees in July, 1851" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Otis	Upham
Bartlett	Conger	Kirby	Platt	Vanderbilt
Beekman	Cooley	McElwain	Rogers	Williams
Bennett	Davenport	Morgan	Snow	Wright
Bristol	Huntington	Munroe		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing them that the Senate have passed the same without amendment.

The Assembly bill, entitled "An act to amend the charter of the Oxford Fire Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Snow
Bartlett	Conger	Kirby	Otis	Upham
Beekman	Cooley	McElwain	Platt	Vanderbilt
Bennett	Davenport	Morgan	Rogers	Williams
Bristol	Huntington			

22

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Kirby,

Resolved, That the memorial and papers on the files of the Senate in relation to the claim of E. Murdock and O. Turner, be taken from said files and referred to the committee on claims.

By unanimous consent,

The bill entitled "An act to incorporate the Ladies Repository of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Huntington	Munroe	Snow	
Beach	Clark	Kirby	Otis	Upham	
Beckman	Cosley	McElwain	Platt	Wright	
Bennett	Davenport	Morgan	Rogers		19

FOR THE NEGATIVE.

Conger	Jones	Vanderbilt	Williams	4
--------	-------	------------	----------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Clark called for the consideration of the resolution offered by him on the 3d instant, in relation to settlement of National difficulties by umpires.

Mr. Babcock moved to strike out the words "be instructed," in said resolution.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

On motion of Mr. Williams.

Resolved, That the clerk be authorized to return to Medad Pomeroy a map now on the Senate files, which was introduced into the Senate on a claim presented to this body at the last session.

Mr. Babcock called for the consideration of the resolutions offered by him on the 21st ult. in relation to grant of public lands for construction of railroad from Pontiac, Michigan, to the shore of Lake Michigan, in Mason county, in that State, and from opposite shore on Wisconsin side of said lake, at or near Manitowoc to Kewana Point upon Lake Superior, with branches, &c.

Debate was had thereon, when

Mr. Pierce moved to amend by inserting after the word "requested," in the 4th line of said resolution, as follows: "if this system of division of the public lands is to be continued."

Debate was had thereon, when

At a quarter before 2 o'clock, p. m.

The Senate adjourned until 10 $\frac{1}{4}$ o'clock Monday morning.

MONDAY, FEBRUARY 14, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Platt.

The journal of Saturday was read and approved.

Mr. McMurray presented the petition of citizens of New-York in relation to abuses in city government of New-York, and for an amendment of charter, which was referred to a select committee consisting of Senators from the 3d, 4th, 5th and 6th districts.

Mr. McMurray presented the memorial of the mayor, aldermen and commonalty of the city of New-York, to divide the 18th ward in said city, into two wards, which was referred to the committee on the incorporation of cities and villages.

Mr. McMurray presented the remonstrance of J. V. Huntington, John O'Conner, and 1026 other citizens of New-York city, against the passage of a law to prevent grants or devises to ecclesiastical officers from vesting in their successors, which was referred to the committee of the whole.

Mr. Kirby presented the remonstrance of William O'Reilly, William McCarty, and 1862 other citizens of Rochester on the same subject, which was referred to the committee of the whole.

Mr. Conger presented four several petitions of divers citizens of the city of New-York, against the diversion of business of the Erie Railroad and a change of its terminus from the city of New-York to the Jersey shore, which was referred to the committee on railroads.

Mr. Beekman presented two several petitions on the same subject, which was referred to the committee on railroads.

Mr. Morgan presented two several petitions on the same subject, which was referred to the committee on railroads.

Mr. Morgan presented the petition of citizens of New-York, in relation to abuses in city government and for an amendment of the city charter, which was referred to a select committee consisting of Senators from the 3d, 4th, 5th, and 6th districts.

Mr. Morgan presented the petition of Charles K. Hamilton, for a law to enable him to hold real estate, which was referred to the committee on the judiciary.

Mr. Beekman presented the petition of many citizens and tax payers of New-York city, for a law to amend the charter of said city, which was referred to a select committee consisting of Senators from the 3d, 4th 5th and 6th districts.

Mr. Ward presented the petition of members of the Odd Fellows lodge at Gowanda, Cattaragus county, for a law authorising them to hold and convey a certain piece of real estate deeded to James Locke, Ashbel H. Hurd and S. P. Mead, in trust for said association, which was referred to the committee on charitable and religious societies.

Mr. Williams presented the petition of sundry citizens of Tompkins co., for a law requiring immediate improvement and enlargement of the Cayuga and Seneca canal, which was referred to the committee on canals.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the petition of the Chautauque co., mutual insurance company for renewal of charter, reported adversely, and moved that the prayer of the petitioner be not granted.

Mr. Ward moved that said report and motion be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Jones, from the committee on claims, to which was referred the several petitions of John C. Van Alstine, Noah T. Fletcher, and Isaac J. Quackenbush, for laws remunerating them for damages from obstruction of culvert on the Erie canal at Aurièsville, reported adversely in writing, and moved that the prayers of the petitioners be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act amending the charter of the Watertown and Rome railroad, and extending the time for the final completion of the same," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act for the relief of George Kill," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Ward, from the committee on claims, to which was referred the bill entitled "An act to secure a more full and complete return of personal property to the assessors of the several cities towns and wards of this State," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Troy, in relation to the number and manner of electing assessors, and to abolish the office of general assessor,' passed February 16, 1852," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the petition of the trustees of the village of Batavia, for the passage of a law amending the

charter of said village, reported, and asked and obtained leave to introduce a bill entitled "An act to consolidate and amend the several acts relating to the village of Batavia, to alter the boundaries and enlarge the powers of the corporation of said village," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Ward, from the committee on claims, to which was referred the petition and other papers of John E. Van Eps for canal damages, reported and asked and obtained leave to introduce a bill, entitled "An act to provide for the appraisal and payment of canal damages sustained by John E. Van Eps," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The President presented a communication and annual report of Emigrant Industrial Savings Bank, for the year ending Dec. 31st, 1852, which was read and referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to authorise the levying a tax on the West Farms, in the county of Westchester, for building engine houses in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to change the name of the village of Mile Square, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to amend chap. 140 of the Laws of 1850, and to provide for the better regulation of railroads, and the security of the lives of passengers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Conger gave notice that he would at some future day, ask leave to introduce a bill entitled "An act to secure to the public instruction of the State a more extended and elevated system of free education."

On motion of Mr. Conger,

Resolved, That the papers relating to the water grant of Ward B. Howard, be taken from the files of the last session and referred to the committee on commerce and navigation.

Mr. Otis offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That there be printed two hundred and fifty copies o

the report of the Commissioners of Emigration, for the use of said commissioners.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Cooley called for the consideration of the concurrent resolution offered by him on the 10th inst., requesting the State Engineer to examine and report whether a bridge can be constructed over the Hudson river at Albany, without materially obstructing the navigation of said river, &c.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Beekman presented the following communication; and at the same time the medal to which it relates.

New-York, February 7th, 1853.

HON. JAMES W. BEEKMAN,

Senator, &c.

Sir—The undersigned a committee of citizens of New-York, have been instructed by their associates, to request of you the favor to present, in their behalf, through the Senate, to the State of New-York, the accompanying medal.

Its design you will perceive is to commemorate the public services of the late Mr. Clay. It was, as you know, projected and executed exclusively by citizens of New-York. Besides the one in gold, which was presented to him, one hundred and fifty and no more, have been struck, in bronze, by the same dies.

It is therefore deemed fitting that our State should possess one of these medals, whose objects are to transmit to distant posterity a perfect resemblance of the features of that illustrious citizen of the republic, and to perpetuate, in the most classic form, the remembrance of the leading events of his life.

With profound respect, we have the honor to be, your obedient servants,

SMITH. J. EASTMAN.

DANIEL ULLMAN.

CHAS. M. LEUPP.

A. G. PECKHAM.

JOS. M. PRICE.

After remarks from several Senators in eulogy of the character and services of the illustrious statesman to whose name such tribute of respect was designed,

Mr. Beekman offered for the consideration of the Senate resolutions, in the words following, to wit:

Resolved, That the Senate do accept with profound acknowledgment of the high and patriotic motives of the donors, the medal struck in honor and remembrance of Henry Clay.

Resolved, That the President of the Senate be requested to communicate a copy of this resolution to the donors of the medal.

Mr. Babcock offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the medal struck in honor of Henry Clay, that has been presented to, and accepted by the Senate be deposited by the President for safe keeping, in the State Library.

After remarks from Senators,

The President put the question whether the Senate would agree to the resolution offered by Mr. Beekman, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the resolution offered Mr. Babcock, and it was decided in the affirmative.

Mr. Pierce offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That a select committee of five Senators be appointed by the President of the Senate to report for the consideration of this Legislature, suitable resolutions expressive of the sentiments and sympathies of the people of this State upon the character and services of the distinguished American statesmen who have departed this life in rapid succession for a few years past.

Debate was had thereon, when

Mr. McMurray moved to lay the said resolution on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger offered for the consideration of the Senate a resolution in the words following, to wit:

Resolved, That the president of the New-York and Erie railroad company be and he hereby is required to communicate to the President of this body within fifteen days from the date hereof, certified copies of all leases, contracts and agreements between the said New-York and Erie railroad company, and the New Jersey railroad company and Patterson and Hudson River railroad company and the Patterson and Ramap railroad company, in the State of New Jersey and the Union railroad company in this State, together with statements verified by the affidavits of the treasurer and secretary, setting forth in detail what measures have been adopted by the said New-York and Erie railroad company, under the said leases, contracts or agreements, and in particular what sums of money they have expended for and pursuant thereto, and how many of their daily passengers and other trains, they have turned off from their own into the railroads of the said companies in New Jersey: also whether the freight conveyed over the said roads in their milk trains is discharged at Jersey city or delivered by the said company in the city of New-York.

Mr. Cooley moved to lay the said resolution on the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock

Cooley

McElwain

Morgan

Ward

Bennett	Huntington	McMurray	VanSchoonhoven	Williams	
Clark	Kirby				12

FOR THE NEGATIVE.

Beekman	Conger	Davenport	Otis	Pierce	
Bristol	Cornell	Jones			8

The Senate then resolved itself into a committee of the whole on the following entitled bills.

"An act authorising the appraisal and payment of damages to the legal representatives of Henry Baker, sustained by the obstruction of the water of mill creek by the Erie canal."

"An act to provide for the better supervision and regulation of railroads."

And after some time spent thereon, Mr. Conger, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act in relation to school district number one, in the town of Seneca and county of Ontario."

"An act to revise, amend, and consolidate the several acts relating to the charter of the village of Rome."

And after some time spent thereon, Mr. Ward, from said committee, reported progress, and asked for leave to sit again.

The President put the question whether the Senate would agree to grant leave to sit again on the said first entitled bill, and it was decided in the affirmative.

The President announced the question to be on granting leave to sit again on said second entitled bill.

Mr. Upham moved that said bill be referred to a select committee, with power to report the same complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President appointed Messrs. Huntington, Upham and Morgan, as such committee.

Mr. McMurray moved that the Senate do now adjourn.

Mr. Williams called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Huntington	Kirby	Morgan	Upham	
Bennett	Jones	McMurray	Otis	Ward	
Bristol					11

FOR THE NEGATIVE.

Babcock	Conger	Davenport	Pierce	Williams	
Clark	Cornell	McElwain			8

The Senate adjourned until 10½ o'clock, to-morrow morning.

TUESDAY, FEBRUARY 15, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The journal of yesterday was read and approved.

Mr. McMurray presented the petition of citizens of New-York in relation to abuses in city government and for amendment of city charter, which was referred to a select committee consisting of the Senators from the 3d, 4th, 5th, and 6th districts.

Mr. Otis presented remonstrances of sundry citizens of Dutchess county against the passage of a law to prevent grants or devises to ecclesiastical officers from vesting in their successors, which was referred to the committee of the whole.

Mr. Cornell presented two petitions of citizens of Livingston county for the incorporation of the Grand Lodge of free and accepted masons of New-York, which was referred to the committee of the whole.

Mr. Huntington presented a communication from two members of the Assembly from Oneida county in relation to a bill authorizing the laying a tax to complete the court house in the city of Utica, which was referred to the committee of the whole.

Mr. Wright presented a petition from Mount Hope Lodge at Fort Ann, Washington county, for incorporation of the Grand Lodge of free masons, which was referred to the committee of whole.

Mr. Beach presented the petition of Humphrey Howland and 100 other citizens of Cuyuga co., for a law providing for draining the Cayuga marshes, which was referred to a select committee consisting of Senators from the 20th and 21st districts.

Mr. Vanderbilt presented the petition of citizens of Bushwick, Kings co., for authority to sell lands for taxes, which was referred to the committee on the incorporation of cities and villages.

Mr. Beekman presented the remonstrance of William B. Crosby, William B. Astor and others, against provisions of annual tax of the city of New-York for the payment of contingent and other expenses caused by the mayor, aldermen &c., and against items for deficiency in taxation in 1852, &c. which was referred to a select committee consisting of Senators from the 3d, 4th, 5th, and 6th, districts.

Mr. Beekman presented the petition of the trustees of the Masonic hall and asylum fund of the grand lodge of New-York, for act of incorporation, which was referred to the committee of the whole.

Mr. Beekman presented the remonstrance of officers and members of the grand lodge of this State, against such incorporation, which was referred to the committee of the whole.

Mr. Babcock, from the committee on public printing, to which

was referred the resolution for printing three hundred extra copies of the Adjutant General's report for the use of his department, reported in favor of such number, which report was agreed to.

Mr. Babcock, from the committee on public printing, to which was referred the resolution for printing two hundred and fifty extra copies of the report of the Commissioners of Emigration for the use of the Commissioners, reported in favor of the same, which report was agreed to.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Buffalo trust company,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to railroad corporations,' passed February 13, 1851," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was recommitted the bill entitled "An act to incorporate the Atlantic and Pacific railroad company," with power to report the same complete, so reported.

Mr. Babcock moved to lay said report upon the table.

Mr. Bennett called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Cooley	McElwain	4
---------	-------	--------	----------	---

FOR THE NEGATIVE.

Bartlett	Bristol	Jones	Otis	Upham
Beach	Conger	McMurray	Pierce	Vanderbilt
Beekman	Davenport	Morgan	Rogers	Wright
Bennett	Huntington			17

After debate on agreeing to the report of said committee,

Mr. Babcock moved to amend by adding at the end of section 6, "And all the provisions of the first second and fourth sections of the general railroad act, passed April 2d, 1850, shall be applied to said association, so far as the same relates to the subscription of the stock of said company," and called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Jones	Morgan	VanSchoonhoven
Beekman	Cornell	McElwain	Otis	Williams
Clark				11

FOR THE NEGATIVE.

Bartlett	Bristol	Davenport	Rogers	Ward	
Beach	Conger	Kirby	Upham	Wright	
Bennett					11

Mr. Babcock then moved to amend by inserting after the words "United States," in the 4th line of the 3d section of said bill, as reported by said committee: "not inconsistent with the Constitution and laws of the State of New-York."

Debate was had thereon, when

The hour of 12 o'clock, M. having arrived, the Speaker announced the special order of business to be an Executive session.

Mr. Cooley moved that the Senate resume legislative business.

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Platt	Williams	
Beach	Cooley	Morgan	Upham	Wright	
Beekman	Huntington	Otis	VanSchoonhoven		14

FOR THE NEGATIVE.

Bartlett	Conger	Jones	McMurray	Rogers	
Bristol	Cornell	Kirby	Pierce	Vanderbilt	10

The President announced the question to be on the amendment offered by Mr. Babcock to the report of the railroad committee on the Atlantic and Pacific railroad bill.

Debate was had thereon, when

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Otis	Upham	
Bartlett	Conger	Jones	Pierce	VanSchoonhoven	
Beach	Cooley	McElwain	Platt	Williams	
Beekman	Cornell	McMurray	Rogers	Wright	
Bennett	Davenport	Morgan			23

FOR THE NEGATIVE.

Bristol	Ward	2
---------	------	---

Mr. Babcock then moved to amend the third section of said bill, by inserting after the word "accept," in the 2d line thereof "for the purposes only of constructing and maintaining said railroad."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

Mr. Clark moved to amend the 6th section of said bill, by inserting after the word "property," in the 3d line: "the whole of which shall be in good faith subscribed, and five per cent thereon

actually paid in, before any of the provisions of this bill shall take effect."

Debate was had thereon, when

At a quarter before 2 o'clock p. m.

The Senate adjourned until 10½ o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 16, 1852.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Platt.

The journal of yesterday was read and approved.

Mr. Vanderbilt presented a communication in the form of a resolution in relation to an amendment of the constitution providing for the enlargement of canals, &c., and moved that the same be referred to a select committee of five, of which the standing committee on canals shall constitute a part, to report thereon.

After remarks of Senators,

Mr. Vanderbilt called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Morgan	Upham
Bartlett	Clark	Jones	Otis	Vanderbilt
Beach	Conger	Kirby	Pierce	Ward
Beekman	Cooley	McElwain	Platt	Williams
Bennett	Davenport	McMurray	Rogers	Wright

25

FOR THE NEGATIVE.

Cornell

1

Mr. Cornell presented the petition of citizens of Addison, Steuben co., for a law prohibiting the traffic in intoxicating drinks, which was referred to the committee on the internal affairs of towns and counties.

Mr. Cornell presented the petition of Martha Dudley and 30 other ladies of Steuben co., on the same subject, which was referred to the committee on the internal affairs of towns and counties.

Mr. Cornell presented the petition of sundry citizens of Steuben, county, on the same subject, which was referred to the committee on the internal affairs of towns and counties.

Mr. Conger presented the petition of James Stryker, author of the American Register, for a law authorising the distribution of said work among libraries of school districts throughout the State, or a portion of the same, which was referred to the committee on literature.

The president presented the petition of citizens of the village of Albion for an amendment of the charter of said village, restricting the power of the trustees to raise money for street purposes, which was referred to the committee on the incorporation of cities and villages.

Mr. Huntington presented the resolutions adopted by citizens of Utica at a meeting held at the National Hotel Feb. 12, 1853, in relation to the passage of a bill before the Senate, providing for finishing and furnishing the court house in said city, which was referred to the committee of the whole.

Mr. Williams presented the petition of citizens of the county of Tompkins, asking for a law to provide for the draining of the Cayuga marshes, which was referred to a select committee.

Mr. Beach presented the petition of Penn Howland, and 60 other citizens of Cayuga county, in favor of an act to drain the Cayuga marshes, which was referred to a select committee.

Mr. Bartlett presented the petition of Orson M. Aliban, for the establishment of an experimental agricultural school in the county of Delaware, which was referred to the committee on agriculture.

Mr. Van Schoonhoven presented the petition of the common council of Troy, praying for an act to enlarge their powers, which was referred to the committee on cities and villages.

The President presented the communication and report of the Auditor of the Canal Department, in reply to a resolution of Mr. Wright adopted by the Senate on the 9th inst., calling for certain information in relation to the Champlain canal, which having been read,

On motion of Mr. Wright,

Said report was referred to the select committee to which was referred the communication of Mr. Vanderbilt this morning, and ordered printed.

The President announced the special order, it being the consideration of general orders.

Mr. Pierce moved that the same be postponed until after reports of committees.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Williams, from the committee on canals, to which was referred the petition and other papers in relation to the claim of representatives of Oliver Pool, deceased, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of the legal representatives of Oliver Pool, deceased," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Williams, from the committee on canals, to which was referred the petition and other papers of Thomas Countryman for damages, &c., reported, and asked and obtained leave to introduce a bill entitled "An act to provide for the appraisement of canal damages to Thomas Countryman," which was read the first time,

and by unanimous consent was also read the second time, and committed to the committee of the whole. .

Mr. Conger, from the committee on literature, to which was referred the memorial of Jacob A. Westervelt and other citizens of the city of New-York, for a law providing greater facilities for improving the minds of the rising generation, reported, and asked and obtained leave to introduce a bill entitled "An act to authorise the formation of teachers' associations in the several counties of the State," which was read the first time, and by unanimous consent, was also read the second time, and committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the annual report of the Brooklyn institute, reported that they have examined the same and moved that it be transmitted to the Regents of the University.

Mr. Pierce moved to lay said report upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was recommitted the bill entitled "An act to authorize the board of supervisors of the county of Greene, to levy a tax on the town of Catskill," reported the same back to the Senate.

Mr. Pierce moved that the said bill retain its original place on the general orders.

The President then put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger, from the committee on literature, to which was referred the petition of John D. Russ for the incorporation of the society of Natural History, reported, and asked and obtained leave to introduce a bill entitled "An act amending chapter 319, of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act to provide for the instruction of common school teachers," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act to amend chapter 382, of the Laws of 1849, entitled 'An act to amend chapter 480, Laws of 1847, entitled 'An act relative to the office of town superintendent of common schools, &c.,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Pierce, from the committee on canals, to which was referred the bill entitled "An act authorising the Canal Commissioners to

build a bridge across the Clark and Skinner canal at Perry street, in the city of Buffalo," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Pierce, from the committee on canals, to which was referred the bill entitled "An act authorising the Canal Commissioners to build a bridge across the Main and Hamburg street canal in the city of Buffalo, at Louisiana street," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Jones, from the committee on claims, to which was referred the petitions, &c., of G. & J. W. Caldwell for canal damages, reported adversely in writing, and moved that the prayer of the petitioners be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Jones, from the committee on claims, to which was referred the petition and other papers of Edward Murray for pay for work done in constructing locks at Whitehall, on the Champlain canal, reported, and asked and obtained leave to introduce a bill entitled "An act authorising the Canal Board to hear the claim of Edward Murray," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred that part of the Governor's message relating to the establishment of a lunatic asylum in the western part of this State, asked for and obtained leave to introduce a bill, entitled "An act to authorise the establishment of the western State lunatic asylum," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act relative to savings banks, or institutions for savings in the city and county of New-York and county of Kings."

"An act to authorise the commissioners of highways of the town of Triangel, in the county of Broome, to erect and maintain a free bridge across the Tioughnioga river, above the junction of the said river with the Otselic river."

"An act repealing the act for the establishment of teachers' institutes."

"An act to provide for certain expenses chargeable to the canal fund."

"An act for the relief of consolidated school district No. 7, in the town of Sherburne, county of Chenango."

"An act to amend section 4, of title 3, of chapter 1 of part 3, of the Revised Statutes, relating to the compensation of constables attending upon the terms of the supreme court."

"An act to enable the Staten Island railroad company to own and use steam ferry boats.

"An act to enable Henry K. S. Pritchard to assign or release and quit claim his interest in a certain trust."

"An act to indemnify William E. Worden and Morgan L. Worden, for a deficiency in a lot of land sold by the Surveyor General of the State."

"An act to establish a ferry across the Hudson river between the village of Castleton, in the county of Rensselaer, and the town of Bethlehem, in the county of Albany."

"An act for the better support of the poor in the town of Newburgh, in the county of Orange."

Ordered, That said bills do have their third reading.

Mr. Otis, from the committee on manufactures, to which was referred the Assembly bill entitled "An act to apply the provisions of an act, entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference, passed April 16th, 1852,' to the Waterloo cotton company, at Waterloo, Seneca county," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of Essex and Franklin counties, for an appropriation for the improvement of the Ausable river, reported, and asked and obtained leave to introduce a bill entitled "An act for the improvement of the Ausable river, Essex county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Davenport, from the committee on public expenditures, to which was referred the bill entitled "An act to amend title six, chap. seven, of part first, (of the 4th edition) of the Revised Statutes, relating to the compensation of officers, and other expenses of the Senate and Assembly," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill, entitled "An act authorising the directors of the Oxbow and Evans Mills plank road company, to assess the stockholders of said company for the payment of the debts thereof, and for other purposes," reported in favor of the passage of the same without amendment.

By unanimous consent,

On motion of Mr. Davenport,

Said bill was recommitted to the committee on roads and bridges, with power to report the same complete.

Mr. Huntington, from the select committee to which was referred the bill entitled "An act to revise, amend and consolidate the se-

veral acts relating to the charter of the village of Rome," with power to report the same complete, so reported.

Ordered, That said bill be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills.

"An act authorising the appraisal and payment of damages to the legal representatives of Henry Baker, sustained by the obstruction of the water of mill creek, by the Erie canal."

"An act to authorise the board of supervisors of the county of Greene, to levy a tax on the town of Catskill."

And after some time spent thereon, Mr. Cooley from said committee, reported that they had agreed to the said first mentioned bill with an amendment thereto, and to the second mentioned bill without amendment.

The President put the question whether the Senate would agree to the report of the committee on said first mentioned bill, and it was decided in the affirmative.

The President announced the question to be on agreeing with the report of the committee on said second entitled bill.

Mr. Pierce moved that said report be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to provide for the better supervision and regulation of railroads."

And after some time spent thereon, Mr. Cornell, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to amend 'An act relating to the New-York and Harlem railroad company, passed May 7, 1840,' and acts amending the same."

And after some time spent thereon, Mr. Clark, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate adjourned until 10½ o'clock, to-morrow morning.

THURSDAY, FEBRUARY 17, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The journal of yesterday was read and approved.

The President appointed Messrs. Vanderbilt, Pierce, Davenport,

Upham and Babcock, as the select committee to which was referred the communication of Mr. Vanderbilt offered yesterday, in relation to canals.

Mr. Vanderbilt presented the petition of C. Vanderbilt for confirmation of letters patent, &c., which was referred to the committee on the judiciary.

Mr. Vanderbilt presented the petition of the Brooklyn savings bank, to authorise them to loan on county bonds of Kings county, which was referred to the committee on banks and insurance companies.

Mr. Vanderbilt presented the petition of citizens of Brooklyn to incorporate Leffert's park, which was referred to the committee on the incorporation of cities and villages.

Mr. Platt presented the petition of W. T. Allen and F. T. Carrington, for authority to hold real estate, which was referred to the committee on the judiciary.

Mr. Vanderbilt presented the remonstrance of G. N. Myers, grand master of the grand lodge of the State of New-York, against the passage of any act incorporating the grand lodge of the State, which was referred to the committee of the whole.

Mr. Babcock presented three petitions of citizens of Erie co., for a law to authorise an increase of tolls on plank roads, which were referred to the committee on roads and bridges.

Mr. Pierce presented the petition of John Percy of Albany, for an examination of the merits of his new railroad track and break, which was referred to the committee on railroads.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the petition of the Peoples' bathing and washing association for increase of capital stock, &c., reported, and asked and obtained leave to introduce a bill entitled "An act in relation to the Peoples' bathing and washing association," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Jones, from the committee on claims, to which was referred the petition of John Merrill for payment of balance on account of the erroneous sale of land by the State, reported adversely, and moved that the prayer of the petitioner be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Jones, from the committee on claims, to which was referred the several petitions of John H. Babcock, Charles Deifendorf, Lewis Ransom, John C. Phillips and David Deifendorf, for damages in consequence of the overflowing of the Osequago creek by building an aqueduct across said creek, reported adversely, and moved that the prayer of the petitioners be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Otis, from the committee on trade and manufactures, to

which was referred that part of the Governor's message relating to establishing schools and colleges for the promotion of mechanical sciences, moved to be discharged from further consideration thereof, and that the same be referred to the committee on literature.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to glebe lands in the village of Newburgh," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to authorise the clerk of Kings co., to record the assignments of a certain mortgage," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the petition of citizens of Albion to amend charter so as to restrict power of trustees to raise money for street purposes, reported, and asked and obtained leave to introduce a bill entitled "An act further to amend the charter of the village of Albion," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act to incorporate the village of Penn Yan, in the county of Yates, passed March 23, 1852, reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to revise and consolidate the laws in relation to the village of Ithaca," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Fredonia and Sinclearville plank road company to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Williams, from the select committee, to which was referred the petitions in relation to draining Cayuga marshes, reported in writing, and gave notice of introduction of a bill at an early day on the subject.

Mr. Davenport moved that one thousand extra copies of said report be printed.

Ordered, That said motion be referred to the committee on public printing.

Mr. Beekman presented the annual report of the Greenwich savings bank, also of the East River savings institution, in the city of New-York," which were referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr Wright asked for and obtained leave to introduce a bill entitled "An act for the relief of the families of States prison convicts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

Mr. Platt gave notice that he would at an early day, ask leave to introduce a bill to enable Carrington Macfarland and James Duncan Macfarland to hold real estate.

Mr. Vanderbilt gave notice that he would, at an early day, ask leave to introduce a bill to amend the acts incorporating the East River mutual insurance company, so as to extend the time to increase their capital stock.

Mr. Vanderbilt gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Union cemetery of Bushwick.

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill to amend the act passed April 10, 1851, in relation to building, mutual loan and accumulating fund associations.

Mr. Cornell gave notice that he would, at an early day, ask leave to introduce a bill to amend the general railroad law in relation to laying out streets and highways across railroads.

Mr. Morgan gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the Pacific mail steamship company.

Mr. Morgan gave notice that he would, at an early day, ask leave to introduce a bill to exempt from taxation the cemetery grounds belonging to the congregation of Shearith Israel.

Mr. Wright gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the village of Whitehall.

Mr. Pierce gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the Ulster county savings institution.

The bill entitled "An act to indemnify William E. Worden and Morgan L. Worden, for a deficiency in a lot of land sold by the Surveyor General," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Otis	Vanderbilt
Bartlett	Conger	Jones	Platt	Ward
Bennett	Cornell	Kirby	Taber	Williams
Bristol	Davenport	McElwain	Upham	Wright

Ordered, That the Clerk deliver said resolutions to the Assembly, and request their concurrence therein.

The bill entitled "An act for the better support of the poor in the town of Newburgh, in the county of Orange," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Davenport	Morgan	Vanderbilt
Bartlett	Conger	Huntington	Otis	Ward
Beekman	Cooley	Jones	Platt	Williams
Bennett	Cornell	McElwain	Upham	Wright
Bristol				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of consolidated school district No. 7, in the town of Sherburne, county of Chenango," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Platt	Ward
Bennett	Cornell	Kirby	Upham	Williams
Bristol	Davenport	McElwain	Vanderbilt	Wright
Clark	Huntington	Otis		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable Henry K. S. Pritchard to assign or release and quit claim his interest in a certain trust," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Otis	Vanderbilt
Bartlett	Conger	Jones	Platt	Ward
Bennett	Cornell	Kirby	Taber	Williams
Bristol	Davenport	McElwain	Upham	Wright

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act repealing an act establishing teachers' institutes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative,

a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Huntington	Otis	Platt	
Beekman	Cornell	Jones	Pierce	Ward	
Bennett	Davenport				12

FOR THE NEGATIVE.

Bristol	Kirby	Taber	Williams	Wright	
Clark	McElwain	Upham			8

Mr. Pierce moved a reconsideration of the vote on said bill, and that said motion lay on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled "An act to establish a ferry across the Hudson river between the village of Castleton, in the county of Rensselaer, and the town of Bethlehem, in the county of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Platt	Ward	
Beekman	Cooley	McElwain	Taber	Williams	
Bristol	Davenport	Morgan	Upham	Wright	
Clark	Huntington				17

FOR THE NEGATIVE.

Jones	Vanderbilt	2
-------	------------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to allow the Staten Island railroad company to own and run steam ferry boats," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Pierce	Vanderbilt	
Bartlett	Conger	Kirby	Platt	Ward	
Beekman	Cooley	McElwain	Taber	Williams	
Bennett	Davenport	Otis	Upham	Wright	
Bristol	Huntington				22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for certain expenses chargeable to the canal fund," was read a third time.

On motion of Mr. Vanderbilt,

Said bill was referred to the committee on canals, to make certain amendments.

The bill entitled "An act to authorise the commissioners of highways in the town of Triangle, in the county of Broome, to erect and maintain a free bridge across the Tioughnioga river, above the junction of the said river with the Otselic river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Davenport	McElwain	Upham	
Bartlett	Conger	Huntington	Otis	Vanderbilt	
Beekman	Cooley	Jones	Platt	Williams	
Bennett	Cornell	Kirby	Taber	Wright	
Bristol					21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend section four, of title three, of chapter one, of part three, of the Revised Statutes, relating to the compensation of constables attending upon the terms of the supreme court," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Jones	Pierce	Ward	
Beekman	Cooley	Kirby	Taber	Williams	
Bennett	Cornell	McElwain	Upham	Wright	
Bristol	Davenport	Otis	Vanderbilt		19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Wright offered for the consideration of the Senate a concurrent resolution in the words following to wit:

Whereas, Tuesday the 22d of February, being the anniversary of the birth of George Washington;

Resolved, (if the Assembly concur) that when this Legislature adjourn on Saturday the 19th inst, it will adjourn to meet on Wednesday the 23d inst.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Huntington offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That 2000 copies of the annual report of the managers of the New-York lunatic asylum be printed for the use of the managers.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Conger,

Resolved, That Senate bill No. 66, relative to common schools in the city of New-York, be referred back to the committee on literature without prejudice to its position on the general orders.

On motion of Mr. Wright.

Resolved, That the Canal Board be requested to inform the Senate the name of any and all canal superintendents against whom charges have been preferred during the past year, the nature of such charges, and what action the said board has had thereon.

On motion of Mr. McElwain,

Resolved, That the clerk be directed to procure for the use of the Senate, the same number of diagrams of the Senate chamber as furnished last year, at the lowest price for which the same can be obtained.

Mr. Babcock offered for the consideration of the Senate a resolution in the words following, and called for the ayes and noes:

Resolved, That the bill offered herewith entitled "An act to authorise the formation of corporations for the purpose of constructing and operating railroads between the Atlantic and Pacific oceans and elsewhere without the limits of the State of New-York," be printed and placed on the files of the Senate.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	Kirby	Platt	Vanderbilt
Beckman	Jones	McElwain	Taber	Williams
Cooley				

11

FOR THE NEGATIVE.

Bartlett	Bristol	Huntington	Ward	Wright
Bennett	Davenport	Upham		

8

Mr. Bennett called for the consideration of the report of the committee on railroads, to which was recommitted the bill, entitled "An act to incorporate the Atlantic and Pacific Railroad company," with power to report the same complete.

The President announced the question to be on the amendment offered by Mr. Clark to the 6th section of said bill, by inserting after the word "property," in the 3d line thereof: "the whole of which shall be in good faith subscribed, and five per cent thereon actually paid in, before any of the provisions of this bill shall take effect."

Debate was had thereon, when

Mr. Babcock called for the ayes and noes.

At a quarter before 2 o'clock p. m.

The Senate adjourned until 10 $\frac{1}{2}$ o'clock to morrow morning.

FRIDAY, FEBRUARY 18, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Platt.

The journal of yesterday was read and approved.

Mr. Jones presented the petition of stockholders of the Newburgh and Shawangunk plank road and the trustees of the village of Newburgh, for authority to change the terminus of said road, &c., which was referred to the committee on roads and bridges.

Mr. Cooley presented the petition of the trustees of district number 3, in the town of Castleton, Richmond county, for a law authorising them to borrow money to build a school house, which was referred to the committee on literature.

Mr. Bartlett presented the petition of citizens of Hancock, for an amendment of the general plank road law, which was referred to the committee on roads and bridges.

Mr. Davenport presented the petition of surviving trustees of the Antwerp company, for extension of time allowed them to hold real estate, which was referred to the committee on the judiciary.

Mr. Munroe presented the petition of Charles C. Devoe, in relation to the Hyde Park and Esopus steam ferry company, which was referred to the committee on commerce and navigation.

Mr. Huntington presented the petition of 708 citizens of Rome and vicinity, for a portion of school fund for aid of catholic school in Rome, which was referred to the committee on literature.

Mr. Huntington presented the remonstrance of 749 inhabitants of Rome and vicinity against the passage of a law to prevent grants or devises to ecclesiastical officers from vesting in their successors, which was referred to the committee of the whole.

Mr. Van Schoonhoven presented the remonstrance of citizens of Catskill against raising money on said town to build a bridge, which was laid upon the table.

Mr. Van Schoonhoven presented the remonstrance of the commissioners of highways of the town of Catskill, on the same subject, which was laid upon the table.

Mr. Morgan presented the petition of F. H. Pettis, for repeal of so much of the statute as confers power upon criminal judges to inflict double punishment for a second offence, which was referred to the committee on the judiciary.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bill:

"An act to authorise the addition of another regiment to the militia in the fifth brigade district,"

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act for the incorporation of the village of Oxford, and for other purposes,' passed April 6, 1808, which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A message from the Assembly was received and read, informing that they do concur in the passage of the following resolution, to wit:

Whereas, Tuesday the 22d of February, being the anniversary of the birth of George Washington,

Resolved, (If the Assembly concur,) That when this Legislature adjourns on Saturday the 19th inst. it will adjourn to meet again on Wednesday the 23d inst.

Resolutions from the Assembly was received and read, in the words following, to wit:

Resolved, (If the Senate concur,) That our Senators and our Representatives in Congress be requested to use their influence to procure the passage of a law granting a pension to the surviving soldiers of the Indian war of 1791 and 1792, and to the widows of the deceased soldiers of that war.

Resolved, (If the Senate concur) That the Governor be requested to furnish copies of these resolution to each of our Senators and Representatives in Congress.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to provide for the better supervision and regulations of railroads."

And after some time spent thereon, Mr. Kirby, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Van Schoonhoven called for the consideration of the report of the committee of the whole on the bill entitled "An act to authorise the board of supervisors of the county of Greene, to levy a tax on the town of Catskill, which had been laid upon the table.

The President put the question whether the Senate would agree to take said resolution from the table, and it was decided in the affirmative.

Mr. Van Schoonhoven offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That said bill be referred to a select committee with instructions to report the same forthwith in an amended form, by striking out of the first section of the bill the words "town of Catskill" in the third line thereof, and substituting in lieu of the same, the words "county of Greene", also by striking out the word "town" at the end of said section, and inserting in lieu, the word county; and also by striking out the words "town of Catskill" in title of bill, and by inserting in lieu thereof the words "county of Greene."

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

Assembly bill, "An act to authorise the board of supervisors of Oneida county, to levy a tax of fifteen hundred dollars, for the purpose of completing and furnishing the court house in the city of Utica."

"An act authorising the payment of a sum of money to Augustus Cornwall, for giving information of an escheat."

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said first mentioned bill, and asked for and obtained leave to sit again; and said second mentioned bill with an amendment.

The President announced the question to be on granting leave to sit again on said first mentioned bill.

Mr. Huntington moved that the said bill be referred to a select committee, with power to report the same with amendments, or a substitute therefor complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee on said second entitled bill, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

The President appointed Messrs. Van Schoonhoven, Jones, and Wright, as the select committee provided by the resolution of Mr. Van Schoonhoven in relation to Catskill bridge bill.

The President announced Messrs. Huntington, Vanderbilt and Babcock, as a select committee on the bill authorising the supervisors of Oneida county, to raise money to complete and furnish the court house at Utica.

Mr. Van Schoonhoven, from the select committee, to which was referred the bill entitled "An act to authorise the board of supervisors of the county of Greene, to levy a tax on the town of Catskill," with power to amend and report the same complete forthwith, so reported.

The President announced the question on agreeing thereto.

Debate was had thereon, when

At a quarter before two o'clock p. m., the Senate adjourned until 10½ o'clock, to-morrow morning.

SATURDAY, FEBRUARY 19, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Pohlman.

The journal of yesterday was read and approved.

On motion of Mr. Babcock,

The clerk called the roll of Senators, and the following answered to their names :

Babcock	Huntington	Morgan	Taber	VanSchoonhoven
Beekman	Jones	Munroe	Vanderbilt	Wright
Cooley	Kirby	Pierce		13

On motion of Mr. Babcock,

The Senate adjourned until 10½ o'clock Wednesday morning.

WEDNESDAY, FEBRUARY 23, 1853.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of Saturday was read and approved.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill :

"An act to provide for the payment of certain expenses of the Senate chamber."

Ordered, That the clerk deliver said bill to the Governor.

On motion of Mr. Beekman,

The clerk called the roll of Senators, and the following answered to their names :

Beekman	Clark	Jones	Otis	VanSchoonhoven
Bennett	Davenport	McMurray	Rogers	Ward
				19

On motion of Mr. Jones,

The Senate took a recess until 11 o'clock, A. M.

11 O'CLOCK, A. M.

The Senate again met.

Mr. Pierce presented 4 several petitions of citizens of the city of New-York for a law or resolution authorizing the Attorney General to advance a certain suit pending against the people, which was referred to the committee on the judiciary

Mr. Pierce presented 2 several petitions of citizens of the city of New-York on the same subject, which was referred to the committee on the judiciary.

Mr. Cooley moved to lay the said several petitions on the table, and called for the ayes and noes thereon.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Cooley	VanSchoonhoven	Wright	4
-------	--------	----------------	--------	---

FOR THE NEGATIVE.

Babcock	Jones	Otis	Smith	Ward	
Bennett	Kirby	Pierce	Taber	Williams	
Clark	McMurray	Rogers			13

Mr. Jones presented 2 several petitions of citizens of the city of New-York on the same subject, which were referred to the committee on the judiciary.

Mr. Otis presented petitions from Dutchess county on the same subject, which was referred to the committee on the judiciary.

Mr. Van Schoonhoven presented the petition of J. W. Churchill and other citizens of Rensselaer county, for the incorporation of Grand Lodge of masons to enable them to establish an asylum &c., which was referred to the committee of the whole.

Mr. Clark presented a petition of 23 legal voters of Ontario county for a law prohibiting the sale of intoxicating drinks &c., which was referred to the committee on the internal affairs of towns and counties.

Mr. Clark presented a petition of 28 females of the same county on the same subject, which was referred to the committee on the internal affairs of towns and counties.

Mr. Babcock presented a petition of about 1000 citizens of Buffalo for the passage of a law limiting devises and grants to ecclesiastical officers, which was referred to the committee of the whole.

Mr. Cooley presented 2 remonstrances of many citizens of the city of New-York against the passage of any such law, which were referred to the committee of the whole.

Mr. Beach presented remonstrances of several hundred citizens of Cayuga county on the same subject, which were referred to the committee of the whole.

Mr. Pierce presented the petition of 260 citizens of Rensselaer county for the incorporation of the Grand Lodge of the State of New-York which was referred to the committee of the whole.

Mr. Pierce presented a memorial of the people of Catskill who have remonstrated against Catskill bridge in favor thereof, which was laid on the table.

Mr. Pierce presented affidavits of the citizens of Catskill on the same subject, which was laid on the table.

Mr. Otis presented petitions of citizens of Dutchess county for the establishment of agricultural schools &c., which were referred to the committee on agriculture.

Mr. Taber presented a remonstrance of the citizens of Sullivan county against allowing the Newburgh and Cohecton turnpike company to alter the location of their toll gate, which was referred to the committee on roads and bridges.

Mr. Taber presented a petition from John T. Hildreth for the passage of the Maine liquor law instead of the law to enlarge the Kings county prison, which was referred to the committee on the internal affairs of towns and counties.

Mr. Davenport presented the petition of sundry inhabitants of Lewis county asking for the relief of West Martinsburgh and Copenhagen plank road company which was referred to the committee on roads and bridges.

Mr. Cooley presented a remonstrance of citizens of Hempstead against the passage of an act authorising the sale of the common lands in that town, which was referred to the committee on the internal affairs of towns and counties.

Mr. Beach presented the petition of S. Giles and 50 other citizens of Cayuga county, in favor of an act to drain the Cayuga marshes, which was referred to a select committee consisting of Senators from the 20th and 21st districts.

Mr. McMurray presented the petition of citizens of the city of New-York for amendment of city charter, which was referred to a select committee, consisting of Senators from the 3d, 4th, 5th, and 6th, districts.

Mr. Williams presented a remonstrance of sundry citizens of the town of Groton, county of Tompkins, against the passage of a law discontinuing a certain road in said town, which was referred to the committee on roads and bridges.

Mr. Williams presented the petition of citizens of Tompkins county asking for a law providing for draining the Cayuga marshes, which was referred to a select committee consisting of Senators from the 20th and 21st districts.

A bill was received from the Assembly for concurrence, entitled "An act authorising the appraisal and payment of damages sustained by Thomas Burns by the destruction of a spring of water by the Erie canal enlargement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act, entitled 'An act for the preservation of health, passed April 10th, 1850,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the annual election of a board of commis-

sioners of excise in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the payment of certain annuities due the Cayuga nation of Indians west of the Mississippi river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the New London plank road company to abandon a part of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to authorise repairs on a bridge over the State drain in the town of Lysander," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The President presented the annual report of the bank for savings in the city of New-York for the year 1852, which was referred to the committee on banks and insurance companies.

Reports were received in answer to a resolution of the Senate of the 12th inst, in relation to the equalization of assessments &c., from clerks of Montgomery, Chemung, Putnam, Orleans, Steuben, Wyoming, Allegany, Franklin, Lewis, Livingston, Greene, Clinton, Madison, Herkimer, Columbia, Rensselaer, Oswego, Niagara, Saratoga and Tompkins counties, which were referred to the committee of the whole

A message from the Governor was received and read, informing that he had approved and signed the following entitled bill, to wit:

"An act to provide for the payment of certain expenses of the Senate chamber."

On motion of Mr. Beach,

Resolved, That the act to amend the charter of the Harlem railroad co., be referred to a select committee, with instructions to report the same complete.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to provide for the distribution of standard works of American authors among the libraries of district schools."

And after some time spent thereon, Mr. Williams, from said committee, reported progress, and asked for and obtained leave to sit again.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to amend the act, entitled 'An act to authorise the election of police officers in the town of Newburgh, passed March 12, 1852,'"

And after some time spent thereon, Mr. Williams, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act for the incorporation of companies formed to navigate the ocean by steam."

"An act to amend an act, entitled 'An act relative to the powers of the common council of the city of New-York, and the police and criminal courts of said city, passed January 23, 1823.'"

And after some time spent thereon, Mr. Cooley, from said committee, reported in favor of the passage of said bills without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to incorporate the United States trust company of New York."

"An act to incorporate the widows' and orphans' fund of the Associate Presbyterian church of North America."

And after some time spent thereon, Mr. Beach, from said committee, reported progress on said first mentioned bill, and asked for and obtained leave to sit again.

Mr. Clark, from said committee, reported progress on said second mentioned bill, and asked for leave to sit again.

The President announced the question to be on granting leave to sit again on said second mentioned bill, when,

Mr. Pierce offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That this bill be referred to the standing committee on charitable and religious societies, with instructions to report such an amendment to the general act for the incorporation of charitable and religious societies, if proper, so as to enable the applicants for this bill to secure the object they have in view in its passage.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

The bill entitled "An act to authorise the Lebanon springs railroad company to construct an extension of its road into Massachusetts and Vermont, and to provide means therefor," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A communication was received from the Assembly inviting the members and officers of the Senate to attend a meeting in behalf of the National University, at the Assembly chamber, this evening, at half-past seven o'clock.

Dr. Sears, of Boston, secretary of the Massachusetts board of education, and other distinguished gentlemen are expected to address the meeting.

The Senate then resolved itself into a committee of the whole on the following entitled bills.

"An act for the relief of the Albany Industrial home for the friendless."

"An act to amend the act entitled 'An act to amend the charter of the village of Dundee,' passed March 17, 1851."

"An act to amend an act entitled 'An act to incorporate the association for the exhibition of the industry of all nations,' passed March 11, 1852."

"An act to authorise the mayor and chief of police of the city of New-York to make provision for an efficient police for the protection of the Crystal Palace in the city of New-York."

And after some time spent thereon, Mr. Pierce, from said committee, reported that they had agreed to the three first mentioned bills without amendment, and to the fourth mentioned bill with an amendment.

The President announced the question to be on agreeing to the report on the first mentioned bill.

Mr. McMurray moved that the said bill and report be recommitted to the committee of the whole for further consideration; and it was laid over by consent.

The President put the question whether the Senate would agree to the report of the committee on the said three last mentioned bills, and it was decided in the affirmative.

Ordered, That said bills be engrossed for a third reading.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bill:

"An act to amend an act entitled 'An act to provide for a supply of water in the village of Newburgh, passed March 30, 1852,' and to confirm the proceedings of the water commissioners, trustees, and electors of said village under said act."

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the Rochester and Webster plank road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges; and by unanimous consent, to report complete.

At a quarter before two o'clock, p. m.

The Senate adjourned to 10½ o'clock to-morrow morning.

THURSDAY, FEBRUARY 24, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Cooley presented the remonstrance of citizens of Richmond

county, against repealing the road law of said county, which was referred to the committee of the whole.

Mr. Cooley presented the remonstrance of ship owners, chamber of commerce and several insurance companies in the city of New-York, against the passage of a law in relation to pilotage, which was referred to the committee on commerce and navigation.

Mr. Cooley presented the remonstrance of merchants and ship owners, on same subject, which was referred to the committee on commerce and navigation.

Mr. Kirby presented the petition of George Quinn, contractor on the Genesee Valley canal, for relief, which was referred to the committee on canals.

Mr. Cooley presented the remonstrance of citizens of third and fifth wards in the city of New-York, against the passage of an act to prevent ecclesiastical devises &c., which was referred to the committee of the whole.

Mr. Morgan presented the petition of St. Johns college, Fordham, Westchester county, for an appropriation, which was referred to the committee on literature.

Mr. Babcock presented the petition of 2400 citizens of Buffalo, for the passage of a bill limiting grants and devises to ecclesiastical officers, which was referred to the committee of the whole.

Mr. Jones presented the petition of trustees of the village of Newburgh, for a law providing for the payment of certain money expended by them upon Washington head quarters, which was referred to the committee on finance.

Mr. Jones presented the petition of citizens of Orange county, on the subject of taxation, which was referred to the committee of the whole.

Mr. Williams presented the petition of citizens of Yates co., for a law to provide the enlargement of the Cayuga and Seneca canal, which was referred to the committee on canals.

Mr. Williams presented the petition of Manus Goodrich, for appraisal and payment of damages done to his property, caused by the overflowing of the Canajoharie creek, which was referred to the committee on claims.

Mr. Taber presented the petition of 60 citizens of Schoharie co., for a law authorising the president, directors and first company of the Great Western turnpike road company to abandon the western part of their road, which was referred to the committee on roads and bridges,

Mr. Bennett presented the petition of 80 citizens of Otsego co., on the same subject, which was referred to the committee on roads and bridges.

Mr. Huntington presented the petition of Wm. H. Smith, collector, and other citizens of the town of Rome, Oneida co. for extension of time for the collection of taxes in said town, which was referred to the committee on the internal affairs of towns and counties.

Mr. Pierce presented the petition of Henry C. Atwood and others, asking for action in relation to the suit now pending against the State, in which Trinity church is a party, which was referred to the committee on the judiciary.

Mr. Pierce presented two several petitions of citizens of New-York, on the same subject, which was referred to the committee on the judiciary.

Mr. Bennett presented two petitions on the same subject, which were referred to the committee on the judiciary.

Mr. Munroe presented two petitions of citizens of this State, on the same subject, which were referred to the committee on the judiciary.

Mr. Wright presented two petitions of citizens of this State, on the same subject, which were referred to the committee on the judiciary.

Mr. Newcomb presented three petitions of citizens of this State on the same subject, which were referred to the committee on the judiciary.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of Rome to extend the time for the collection of taxes in that town, reported, and asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the town of Pomfret, in the county of Chautauque, and in the town of Rome, in the county of Oneida," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Munroe	VanSchoenhoven
Bea:ch	Cornell	McElwain	Newcomb	Ward
Beekman	Davenport	McMurray	Otis	Williams
Bennett	Huntington	Morgan	Rogers	Wright
Bristol	Jones			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Babcock, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorise the annual election of a board of commissioners of excise in the city of Oswego," reported in favor of the passage of the same without amendment.

By unanimous consent,

Said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative.

mative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Labeock	Cornell	Kirby	Munroe	Rogers
Peckman	Davenport	McElwain	Newcomb	Taber
Bennett	Huntington	McMurray	Otis	VanSchoonhoven
Clark	Jones	Morgan	Pierce	Wright
Cooley				21

FOR THE NEGATIVE.

Beach	Bristol	Williams	3
-------	---------	----------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Jones, from the committee on claims, to which was referred several separate petitions of Frederick M. Burton and Sophrona Burton, Henry S. Bragdon, Goshen P. Van Alstine, A. P. Settle, Silas V. Wemple, Abraham Van Alstine, John J. Culver, William D. Clark, Charles Sacia, Constant Brown, Aaron Cramer, Alphonzo Wetmore, James E. Shoder, Lewis Trotter, Charles G. Barnes, William Adams, Joshua S. Williams, Delavan Corey and Marcus L. Hoag, for damages on account of the overflowing of the Canajoharie creek caused by the obstruction of the canal aqueduct, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of Frederick M. Burton and Sophrona Burton;" also, "An act for the relief of Henry S. Bragdon;" also, "An act for the relief of Goshen P. Van Alstine;" also, "An act for the relief of A. P. Settle;" also, "An act for the relief of Silas V. Wemple;" also, "An act for the relief of Abram Vanalstine;" also, "An act for the relief of John J. Culver;" also, "An act for the relief of William D. Clark;" also, "An act for the relief of Charles Sacia;" also, "An act for the relief of Constant Brown;" also, "An act for the relief of Aaron Cramer;" also, "An act for the relief of Alphonzo Wetmore;" also, "An act for the relief of James E. Shoder;" also, "An act for the relief of Lewis Trotter;" also, "An act for the relief of Charles G. Barnes;" also, "An act for the relief of Joshua S. Williams;" also, "An act for the relief of Delavan Corey;" also, "An act for the relief of Marcus L. L. Hoag," which were read the first time, and by unanimous consent were also read the second time, and committed to the committee of the whole.

Mr. Pierce, from the committee on canals, to which was referred the resolution for that purpose, reported, and asked for and obtained leave to introduce a bill, entitled "An act in relation to the transportation of freight on certain railroads," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to

Mr. Pierce presented the petition of Henry C. Atwood and others, asking for action in relation to the suit now pending against the State, in which Trinity church is a party, which was referred to the committee on the judiciary.

Mr. Pierce presented two several petitions of citizens of New-York, on the same subject, which was referred to the committee on the judiciary.

Mr. Bennett presented two petitions on the same subject, which were referred to the committee on the judiciary.

Mr. Munroe presented two petitions of citizens of this State, on the same subject, which were referred to the committee on the judiciary.

Mr. Wright presented two petitions of citizens of this State, on the same subject, which were referred to the committee on the judiciary.

Mr. Newcomb presented three petitions of citizens of this State on the same subject, which were referred to the committee on the judiciary.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of Rome to extend the time for the collection of taxes in that town, reported, and asked and obtained leave to introduce a bill entitled "An act to extend the time for the collection of taxes in the town of Pomfret, in the county of Chautauque, and in the town of Rome, in the county of Oneida," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock
Beach
Beekman
Bennett
Bristol

Clark
Cornell
Davenport
Huntington
Jones

Kirby
McElwain
McMurray
Morgan

Munroe
Newcomb
Otis
Rogers

Van Schoonhoven
Ward
Williams
Wright

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Babcock, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the annual election of a board of commissioners of excise in the town of Pomfret," reported in favor of the passage of the same.

whether the Senate
and it was decided

SENATE REPORT

IN THE SENATE

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

REPORT

Taber
VanSchoonhoven
Ward
Williams

22

Assembly, and

bills, reported as

incorporate the
of all nations,'

ate would agree
d in the affirma-
Senate voting in

Smith
Taber
Ward
Williams

23

the Assembly, and

ed bills, reported as

of police of the city
icient police for the
of New-York."

r the Senate would agree
as decided in the affirma-
ted to the Senate voting in

REPORT

Otis	Vanderbilt
Pierce	VanSchoonhoven
Rogers	Ward
Smith	Williams
Taber	Wright

25

eliver said bill to the Assembly, and
herein.

act to extend the time for the collection
towns in the counties of Montgomery and
and a third time.

change the name of the village of Mile Square, in the county of Westchester," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorise the New London plank road company to abandon a part of their road," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill, entitled "An act in relation to the Rochester and Webster plank road company," with power to report the same complete, so reported.

Ordered, That said bill do have its third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill, entitled "An act to authorise the Fredonia and Sinclairville plank road company to borrow money," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Munroe, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorise the Lebanon Springs railroad company to construct an extension of its road into Massachusetts and Vermont, and to provide means therefor," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Pierce, from the committee on canals, to which was referred the bill entitled "An act to provide for certain expenses chargeable to the canal fund," reported in favor of the passage thereof, without amendment.

By unanimous consent,

Ordered, That said bill have its third reading.

Mr. Pierce, from the committee on canals, to which was referred the petitions for that purpose, reported, and asked, and obtained leave to introduce a bill entitled "An act to provide for the repairs of the locks on the Champlain canal," which was read the first time, and by unanimous consent, was also read the second time, and committed to the committee of the whole.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following bill:

"An act to amend an act, entitled "An act to amend the charter of the city of Troy, in relation to the number and manner of electing assessors, and to abolish the office of general assessor, passed February 16, 1852."

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babeock	Davenport	McMurray	Otis	Taber
Beach	Huntington	Morgan	Pierce	VanSchoonhoven
Beekman	Jones	Munroe	Rogers	Ward
Bristol	McElwain	Newcomb	Smith	Williams
Clark	Kirby			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bill :

"An act to amend an act entitled 'An act to incorporate the association for the exhibition of the industry of all nations,' passed March 11, 1852."

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Babeock	Cooley	McElwain	Newcomb	Smith
Beach	Davenport	McMurray	Otis	Taber
Beekman	Huntington	Morgan	Pierce	Ward
Bristol	Jones	Munroe	Rogers	Williams
Clark	Kirby			

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed, the following entitled bill :

"An act to authorise the mayor and chief of police of the city of New-York to make provision for an efficient police for the protection of the Crystal Palace in the city of New-York."

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babeock	Cooley	McElwain	Otis	Vanderbilt
Beach	Cornell	McMurray	Pierce	VanSchoonhoven
Beekman	Davenport	Morgan	Rogers	Ward
Bristol	Jones	Munroe	Smith	Williams
Clark	Kirby	Newcomb	Taber	Wright

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimour consent,

The bill entitled "An act to extend the time for the collection of taxes in the several towns in the counties of Montgomery and Schenectady," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McMurray	Pierce	VanSchoonhoven
Beach	Cornell	Morgan	Rogers	Ward
Beekman	Davenport	Munroe	Taber	Williams
Bristol	Jones	Newcomb	Vanderbilt	Wright
Clark	McElwain	Otis		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

The bill entitled "An act to amend the act, entitled 'An act to incorporate the village of Penn Yan, passed March 23, 1852,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Cooley	Jones	Pierce	Ward
Beekman	Cornell	Munroe	Rogers	Williams
Bristol	Davenport	Newcomb	Taber	Wright
Clark	Huntington	Otis		

13

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Beach, from the select committee, to which was referred the bill entitled "An act to amend 'An act relating to the New-York and Harlem railroad company, passed May 7, 1840,' and the acts amending the same," with power to report the same complete, so reported.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

On motion of Mr. Munroe,

Resolved, That Senate bill No. 106, being an act to amend "An act to incorporate the Syracuse city water works company," be taken from the committee of the whole, and ordered engrossed for a third reading.

The President presented the report of the Comptroller in reply to resolution of the Senate, in relation to the clerks and their compensation in his office, which was referred to the committee on finance.

The Clerk presented reports of clerks of Chenango, Rockland, Delaware and Schenectady counties, in reply to a resolution of the Senate of the 12th inst, in relation to the equalization of assessments, &c., which were referred to the committee of the whole.

The Clerk presented the following invitation :

The officers and members of the Senate are respectfully invited to attend the university meeting in the Assembly chamber this evening, at 7½ o'clock.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the safe keeping of records in Onondaga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act in relation to the payment of drafts drawn payable at sight," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Cornell asked for and obtained leave to introduce a bill entitled "An act to amend the act to authorise the formation of railroad corporations, and to regulate the same, passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice,

Mr. Morgan asked for and obtained leave to introduce a bill entitled "An act to incorporate the Pacific mail steamship company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act to amend the charter of the Ulster county savings institution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

Mr. Jones gave notice that he would, at an early day, ask leave to introduce a bill to authorise the Newburgh and Shawangunk plank road company to change the eastern terminus of their road, and for other purposes.

Mr. McElwain gave notice that he would, at an early day, ask leave to introduce a bill to authorise the superintendent of common schools to purchase Stryker's American Register, for the common school districts of the State.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act relating to the deaf and dumb."

Mr. Pierce gave notice that he would, at an early day, ask leave to introduce a bill limiting the number of newspapers in a county in which a notice of election shall be required to be published.

Mr. Jones gave notice that he would, at an early day, ask leave to introduce a bill relating to the payment of drafts, drawn payable at sight.

The bill entitled "An act relative to savings banks, or institutions for savings in the city and county of New-York, and the county of Kings," was read a third time.

By unanimous consent,

On motion of Mr. Otis,

Said bill was amended by inserting in the 11th line of the 3d section thereof, after the word "savings," the words "hereafter to be incorporated."

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Huntington	Munroe	Rogers	Ward
Clark	Jones	Newcomb	Smith	Williams
Cooley	Kirby	Otis	Taber	Wright
Davenport	McElwain	Pierce	VanSchoonhoven	19

FOR THE NEGATIVE.

Bennett	Conger	Cornell	McMurray	Vanderbilt
Bristol				6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for certain expenses chargeable to the canal fund," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and the vote was as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Newcomb	VanSchoonhoven
Beach	Cornell	McElwain	Otis	Williams
Bristol	Davenport	McMurray	Pierce	Wright
Conger	Jones	Morgan	Smith	19

Three-fifths not being present,

Ordered, That said bill be laid upon the table.

The bill entitled "An act in relation to the Rochester and Webster plank road company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Munroe	Smith
Beach	Cornell	McElwain	Newcomb	Vanderbilt
Bennett	Davenport	McMurray	Otis	Williams
Bristol	Huntington	Morgan	Pierce	Wright
Clark	Jones			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Huntington,

Resolved, That the petitions and papers now on the files of the Senate, asking for appropriations in aid of Hamilton college, Madison University, and school of Oneida Indian tribes be taken therefrom, and referred to the committee on literature.

On motion of Mr. Vanderbilt,

Resolved, That Senate bills No. 107 and 108, relative to the penitentiary of Kings county, and bill No. 104, relative to Greenwood cemetery, No. 79 to confirm certain conveyances, of real estate by Thomas G. Tallmadge, be recommitted and referred to a select committee to report complete.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to provide for the distribution of standard works of American authors among the libraries of district schools."

"An act to amend an act to incorporate the New-York and Virginia steamship company, passed April 10, 1850."

And after some time spent thereon, Mr. Williams, from said committee, reported progress, and asked for and obtained leave to sit again.

At a quarter before two o'clock, p. m.

The Senate adjourned until 10½ o'clock to-morrow morning.

FRIDAY, FEBRUARY 25, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Palmer.

The journal of yesterday was read and approved.

The President appointed Messrs. Vanderbilt, Platt and Morgan, as the select committee on the bill entitled "An act to confirm certain sales and conveyances of real estate in the county of Kings, made by Thomas G. Tallmadge as loan commissioner."

Also, Messrs. Vanderbilt, Bartlett and Morgan as the select committee on the bill entitled "An act relating to the confinement of prisoners in the penitentiary in the county of Kings."

Also, Messrs. Vanderbilt, McMurray and Upham as the select committee on the bill entitled "An act authorising the board of supervisors of Kings county, to raise money by loan, to be applied in connection of the hospital and lunatic asylum on the county farm in said county."

Also, Messrs. Vanderbilt, Beekman and Cooley, as the select committee on the bill entitled "An act further to amend an act entitled 'An act to incorporate the Greenwood cemetery,' with

power to report said several bills complete in pursuance of a resolution adopted by the Senate yesterday.

Mr. Beach presented the petition of McMaster and Merritt, for relief, which was referred to the committee on claims.

Mr. Morgan presented the petition &c. of Leonardo S. Suavey and Maria Vinanta Rodriques, for release of lands escheated to the State, which was referred to the committee on the judiciary.

Mr. Taber presented two petitions of citizens of country towns of Albany co., for a division of said county, which was referred to the committee on the erection and division of towns and counties.

Mr. Taber presented the petition of citizens of the city of Schenectady, for an act to supply said city with pure and wholesome water, which was referred to the committee on the incorporation of cities and villages.

Mr. Cooley presented the remonstrance of 1000 inhabitants of the city of New-York, against the passage of a law to prevent ecclesiastical devises &c., which was referred to the committee of the whole.

Mr. Van Schoonhoven presented the remonstrance of citizens of Troy, against any law to close Sixth street in said city, unless commissioners shall be appointed to assess damages occasioned thereby, which was referred to the committee on the incorporation of cities and villages.

Mr. Taber presented the petition of the directors of the Schenectady and Duaneburgh plank road company, for an extension of the time for completing their road, which was referred to the committee on roads and bridges.

Mr. Upham moved that the special order, to wit, the consideration of general orders, be postponed until after reports of committees.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Jones, from the committee on claims, to which was referred the Assembly bill entitled "An act authorising the appraisal and payment of damages sustained by Thomas Burns by the destruction of a spring of water by the Erie canal enlargement," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act authorising the directors of the Ox Bow and Evans mills plank road company to assess the stockholders of said company for the payment of the debts thereof and for other purposes," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Bristol, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act in relation to the payment of certain annuities due the Cayuga nation of Indians

west of the Mississippi river," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Huntington, from the select committee to which was referred the Assembly bill entitled "An act to authorise the board of supervisors of Oneida county to levy a tax of fifteen hundred dollars for the purpose of completing and furnishing the court house in the city of Utica," with power to report the same complete, so reported.

Ordered, That said bill do have its third reading.

Mr. Beach moved to further postpone the special order for half an hour.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Clark gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act in relation to plank roads."

Mr. Clark gave notice that he would, at an early day, ask leave to introduce a bill to amend the act to provide for the construction of a railroad from the head of Seneca Lake, to the New-York and Erie railroad, in the county of Chemung, passed May 14th, 1845.

Mr. Munroe gave notice that he would, at an early day, ask leave to introduce a bill, to amend the act making the village of Eldridge a separate road district.

Mr. Cooley gave notice that he would, at an early day, ask leave to introduce a bill, relative to the business of banking.

Mr. Taber gave notice that he would, at an early day, ask leave to introduce a bill to incorporate a company with power to construct a ship canal around the overslaugh in the Hudson river.

Mr. McMurray gave notice that he would, at an early day, ask leave to introduce a bill amending the Revised Statutes in relation to taking testimony of witnesses in suits pending in other States and Territories.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act relating to the deaf and dumb," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act in relation to the Newburgh and Shawangunk plank road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The clerk presented communications from clerks of Suffolk, Yates and Onondaga counties, in reply to a resolution of the Senate, calling for information in relation to equalization of assessments, &c.

The bill entitled "An act to provide for certain expenses chargeable to the canal fund," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Beach	Clark	Davenport	McMurray	Upham
Beekman	Conger	Jones	Morgan	VanSchoonhoven
Bennett	Cooley	Kirby	Newcomb	Ward
Bristol	Cornell	McElwain	Pierce	19

FOR THE NEGATIVE.

Huntington	Wright	2
------------	--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorise the board of supervisors of the county of Oneida to levy a tax for the purpose of completing and furnishing the court house in the city of Utica," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Munroe	Smith
Bartlett	Clark	Jones	Newcomb	Taber
Beach	Conger	Kirby	Otis	Upham
Beekman	Cooley	Morgan	Rogers	Ward
Bennett	Davenport			22

FOR THE NEGATIVE.

Wright	1
--------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Morgan,

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill number one hundred, being "An act to amend the charter of the Clinton Hall association," and that the same be engrossed for a third reading.

On motion of Mr. Otis, and by unanimous consent,

Resolved, That Assembly bill, general orders number one hundred and seventy-six, allowing the Lebanon springs railroad company to extend their road into Massachusetts and Vermont, &c., be referred to a select committee to report complete.

The President appointed as such committee, Messrs. Otis, Smith and Munroe.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bill:

"An act to amend an act entitled 'An act to incorporate the Syracuse water works company,' passed April 9, 1849."

Ordered, That said bill do have its third reading.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to amend an act entitled 'An act to provide for a supply of water in the village of Newburgh, passed March 30, 1852,' and to confirm the proceedings of the water commissioners, trustees, and electors of said village under said act."

"An act to authorise the addition of another regiment to the militia in the fifth brigade district."

Mr. Bristol offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the resolution requiring the adjournment of the Senate at a quarter before two, be rescinded, and that the Senate continue to meet at half-past ten o'clock, as at present.

Debate was had thereon, when

The President announced the special order.

Mr. Conger moved that the Senate go into a committee of the whole on the Assembly bill entitled "An act relative to land devised by James Morris, deceased."

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Otis	Upham
Bartlett	Conger	McMurray	Pierce	Vanderbilt
Beach	Cooley	Morgan	Rogers	Vandehoekhoven
Beekman	Cornell	Munroe	Smith	Ward
Bennett	Davenport	Newcomb	Taber	Williams
Bristol	Huntington			

27

FOR THE NEGATIVE.

Wright

1

The Senate then resolved itself into a committee of the whole on said bill.

And after some time spent thereon, Mr. Wright, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to.

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Babeock	Conger	Kirby	Pierce	Upham
Bartlett	Cornell	Morgan	Rogers	Vanderbilt
Beach	Davenport	Munroe	Smith	Williams
Beekman	Huntington	Newcomb	Taber	Wright
Clark	Jones	Otis		

23

Ordered; That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bill :

"An act to amend an act relating to the New-York and Harlem railroad company, passed May 7, 1840, and the acts amending the same."

Said bill having, by unanimous consent, been read a third time, Mr. Pierce moved that the question on its final passage be laid upon the table.

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Kirby	Pierce	Smith	Taber
Jones				

6

FOR THE NEGATIVE.

Beach	Clark	Huntington	Vanderbilt	Williams
Beekman	Conger	Munroe	VanSchoonhoven	Wright
Bristol	Cooley	Upham		

13

The said bill was then again read a third time.

The President put the question wheeher the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babeock	Clark	Kirby	Rogers	Vanderbilt
Beach	Cooley	McElwain	Taber	Williams
Beekman	Davenport	McMurray	Upham	Wright
Bristol	Huntington	Munroe		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the following entitled bills :

"An act to provide for the better supervision and regulation of railroads."

"An act to amend an act entitled 'An act to incorporate the New-York and Virginia steamship company,' passed April 10, 1850.

And after some time spent thereon, Mr. Cornell, from said committee, reported that they had agreed to the first mentioned bill with amendments, and to the second mentioned bill without amendment.

The President announced the question to be on agreeing to the report of the committee of the whole on said first mentioned bill.

Mr. Cooley moved to lay said report on the table, and called for the ayes and noes.

Mr. President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Morgan	Upham	VanSchoonhoven
Beach	Cooley	Otis	Vanderbilt	Williams
Bristol	Huntington	Pierce		13

FOR THE NEGATIVE.

Bartlett	Conger	Jones	Newcomb	Taber
Beekman	Cornell	Kirby	Smith	Wright
Bennett	Davenport	McMurray		13

Mr. Cooley moved to strike out the enacting clause of said bill.

Debate was had thereon, when

Mr. Upham moved that said bill be recommitted to the committee of the whole.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion of Mr. Upham, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee on the second mentioned bill, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Rochester,' passed April 10, 1850," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to extend the time for collecting taxes in the second ward in the city of Buffalo, the several wards of the city of Syracuse, the several towns in the county of Albany, the town of Stephentown, in the county of Rensselaer, and the town of Westfield, in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to provide for the distribution of standard works of American authors among the libraries of district schools."

"An act to amend an act entitled 'An act to incorporate the New-York and Montgomery mining company.'"

"An act for the relief of the Union bank of Troy."

And after some time spent thereon, the hour of a quarter to two o'clock, p. m., having arrived, the President resumed the chair, and the Senate adjourned to 10½ o'clock, a. m., to-morrow.

SATURDAY, FEBRUARY 26, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Noethen.

The journal of yesterday was read and approved.

Mr. Williams presented the petition of Charles D. Hart, of the town of Groton, county of Tompkins, against the passage of any law to discontinue a certain road in said town, which was referred to the committee on roads and bridges.

The President presented the petition of citizens of the town of Barre, Orleans co., for a law authorising an increase of tax for highway purposes in said town, which was referred to the committee on roads and bridges.

Mr. Cooley presented two remonstrances of inhabitants and tax payers of Richmond co., against repealing the road laws of that county, which were referred to the committee of the whole.

Mr. Bartlett presented the petition of citizens of Delaware co., praying for a law rendering the superintendent of the poor ineligible to the appointment of keeper of the poor house, which was referred to the committee on poor laws.

Mr. Beekman presented the remonstrance of William B. Crosby, William Bend, John David Wolfe and others, against the passage of the act for the taxation of money loaned on bond or mortgage and against the passage of the bill requiring a return of personal property under oath, which was referred to the committee of the whole.

Mr. Conger presented the petition of citizens of Cold Spring, in favor of vesting power of granting licenses in the trustees of that village, which was referred to the committee on the incorporation of cities and villages.

Mr. Otis presented the remonstrance of citizens of New-York against the passage of an act to prevent grants or devises to ecclesiastical officers from vesting in their successors, which was referred to the committee on the judiciary.

Mr. Williams presented the memorial of Nelson Allen and other jurors of the town of Groton, in the county of Tompkins, relative to the laying out of a certain road in said town, which was referred to the committee on roads and bridges.

Mr. Otis in behalf of Mr. Vanderbilt, presented the memorial of citizens of Brooklyn, asking an amendment of the fire law, which was referred to the committee on the incorporation of cities and villages.

Mr. Kirby presented the petition of citizens of the village of Brookport, praying for a charter for a savings bank, which was referred to the committee on banks and insurance companies.

Mr. Babcock presented the petition of Esther Taylor and others, for a release of the interest of the State in certain lands to Erasta Ann Wright, which was referred to the committee on the judiciary.

Mr. Taber presented two several petitions of inhabitants of the country towns of Albany county, for a division of the county, which was referred to the committee on the erection and division of towns and counties.

Mr. Otis in behalf of Mr. Vanderbilt presented the petition of the board of supervisors of the county of Kings, relating to school moneys, which was referred to the committee on literature.

Mr. Otis in behalf of Mr. Vanderbilt, presented the petition of sundry inhabitants of Brooklyn for repeal of law laying out a park on Brooklyn Heights, which was referred to the committee on the incorporation of cities and villages.

Mr. Taber presented the remonstrance of citizens of Albany, against the passage of the law extending the time for a compliance by the Albany and Susquehanna railroad company with the 47th section of the general railroad act, which was referred to the committee of the whole.

Mr. Taber presented the petition of citizens residing on the manor of Rensselaerwick, praying for a law to enable them to contest the title to said manor, which was referred to the committee on the judiciary.

Mr. Taber presented the petition of citizens residing on manor lands, for the repeal of the act to abolish distress for rent, passed May 13, 1846, which was referred to the committee on the judiciary.

Mr. McMurray presented the memorial of the minister, elders and deacons of the Reformed Dutch church on the corner of Green and Houston streets in the city of New-York, praying for a change of their corporate name so that they may be authorised to assume the name of the Reformed Dutch church of the city of New-York, in the Seventh avenue, which was referred to the committee on the judiciary.

Mr. Jones, from the committee on claims, to which was referred the petition of Alice O. Wilkins for damages, &c., reported, and asked and obtained leave to introduce a bill, entitled "An act for

the appraisement of canal damages to Alice O. Wilkins," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Jones, from the committee on claims, to which was referred the petition of Manus Goodrich for canal damages, reported, and asked and obtained leave to introduce a bill entitled "An act for the appraisement of canal damages of Manus Goodrich," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of the village of Oxford and for other purposes,' passed April 6, 1803," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the petition of directors of the Schenectady and Duaneburgh plank road company for extension of time to complete the road, reported, and asked and obtained leave to introduce a bill entitled "An act to extend the time for completing the plank road of the Schenectady & Duaneburgh plank road company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act in relation to the Newburgh and Shawangunk plank road company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to amend the act entitled 'An act to amend the charter of the village of Dundee,' passed March 17, 1851."

"An act to amend an act entitled 'An act to incorporate the Clinton Hall association of the city of New-York,' passed February 23, 1833."

"An act to authorise the formation of corporations for the erection of buildings."

"An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships.'"

"An act authorising the payment of a sum of money to Augustus Cornwall for giving information of an escheat."

"An act to amend the act entitled 'An act to authorise the election of police officers in the town of Newburgh,' passed March 12, 1852."

"An act to amend an act entitled 'An act relative to the powers of the common council of the city of New-York, and the police and criminal courts of said city,' passed January 23, 1833."

"An act to amend an act entitled 'An act to incorporate the New-York and Virginia steamship company,' passed April 10, 1850."

"An act entitled 'An act to revise, amend, and consolidate the several acts relating to the charter of the village of Rome.'"

Ordered, That said bills do have their third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the safe keeping of records in Onondaga county," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to amend the act to authorize the formation of railroad corporations and to regulate the same, passed April 2, 1856," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of Carrington Macfarlane and James Duncan Macfarlane to hold real estate, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of Carrington Macfarlane and James D. Macfarlane," which was read the first time, and by unanimous consent, was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the recovery of illegal taxes and assessments," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition and other papers in the matter of the estate of Eliza W. Combe, reported, and asked and obtained leave to introduce a bill entitled "An act to release the interest of the people of the State of New-York to certain premises in Utica, Oneida county, to Jane Eliza De Klyn," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Taber, from the committee on the judiciary, to which was referred the petition of C. Vanderbilt for confirmation of letters patent, reported, and asked and obtained leave to introduce a bill entitled "An act to confirm the title of Cornelius Vanderbilt to certain lands," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

On motion of Mr. Munroe,

The Assembly bill entitled "An act to extend the time for the collection of taxes in the 2d ward of the city of Buffalo, the several wards of the city of Syracuse, the several towns of the county of Albany, the town of Stephentown, in the county of Rensselaer, and the town of Westfield, in the county of Richmond," was ordered to a third reading.

By unanimous consent,

On motion of Mr. Babcock,

The said bill was amended by inserting in the 1st line, before the word "second," the words "first and," and by adding to the word "ward" the letter "s," with same amendments to title.

By unanimous consent,

On motion of Mr. Van Schoonhoven,

The said bill was further amended by inserting after the word "Stephentown," the words "Greenbush" and "Schodack," with same amendments to title.

By unanimous consent,

On motion of Mr. Pierce,

The said bill was further amended by inserting after the word "Rensselaer," in first section and in title, the words "town of Kingston, in the county of Ulster."

By unanimous consent,

The said bill as amended was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Munroe	Rogers
Beach	Cooley	Kirby	Newcomb	Taber
Beekman	Cornell	McElwain	Otis	Upham
Bennett	Davenport	McMurray	Pierce	VanSchoonhoven
Bristol	Huntington	Morgan	Platt	Williams
Clark				

26

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same with the amendments therewith delivered.

By unanimous consent,

The Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Rochester, passed April 10, 1850,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Newcomb	Upham
Beekman	Cooley	McElwain	Otis	VanSchoonhoven
Bennett	Cornell	McMurray	Platt	Ward
Bristol	Huntington	Morgan	Rogers	Williams
Clark	Jones	Munroe	Taber	Wright

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unananimous consent,

The bill entitled "An act to amend an act, entitled 'An act to incorporate the New-York and Virginia steamship company, passed April 10, 1850,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Kirby	Newcomb	Upham
Beach	Conger	McElwain	Otis	Ward
Beckman	Davenport	McMurray	Rogers	Williams
Bennett	Huntington	Morgan	Smith	Wright
Bristol	Jones	Munroe	Taber	24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bills:

"An act to extend the time for the collection of taxes in the town of Pomfret, in the county of Chautauque, and in the town of Rome, in the county of Oneida."

"An act to authorise the mayor and chief of police of the city of New-York to make provision for an efficient police for the protection of the Crystal Palace in the city of New-York."

"An act to amend an act entitled 'An act to incorporate the association for the exhibition of the industry of all nations,' passed March 11, 1852."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Bennett called for the consideration of the report of the railroad committee, to which was referred the bill entitled "An act to incorporate the Atlantic and Pacific railroad."

Mr. Clark withdrew the amendment previously offered by him to the 6th section of said bill.

Mr. Bartlett moved to amend said report by inserting in the first section, after the names of the corporators, the words, "Thomas O. Larkin, of California, Alexander S. Diven, of New-York;" and insert in 7th section, after the name of the commissioners: "John S. King and George M. Lanman, of New-York."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

Mr. Cooley moved to amend by striking out the word "thousand," in the 6th section, and inserting the word "hundred" in lieu thereof, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	VanSchoonhoven
Beach	Jones	Morgan	Taber	Williams
Beckman				11

FOR THE NEGATIVE.

Bartlett	Conger	McMurray	Pierce	Upham
Bennett	Davenport	Munroe	Rogers	Ward
Bristol	Huntington	Newcomb	Smith	Wright
Clark	McElwain			17

Mr. Babcock then moved to amend the 6th section by inserting after the word "property," in the third line: "the whole of which shall be in good faith subscribed, and five per cent thereon actually paid in before any of the provisions of this bill shall take effect."

Debate was had thereon, when

Mr. Babcock called for the ayes and noes.

The President then put the question whether the Senate would agree to the said amendment, and it was decided in the negative as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Pierce	VanSchoonhoven
Beach	Kirby	Otis	Taber	Williams
Beckman				11

FOR THE NEGATIVE.

Bartlett	Clark	Jones	Munroe	Smith
Bennett	Conger	McElwain	Newcomb	Ward
Bristol	Davenport	McMurray	Rogers	Wright
				15

Mr. Babcock then moved to amend by adding at the end of section 7: "This corporation shall be subject to the regulation concerning the election of directors of moneyed corporations, contained in article second, of the second title of chapter eighteen, of the first part, of the Revised Statutes."

Debate was had thereon, when

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Otis	VanSchoonhoven
Bartlett	Huntington	McMurray	Platt	Ward
Beckman	Jones	Munroe	Taber	Williams
Clark	Kirby	Newcomb		18

FOR THE NEGATIVE.

Bennett	Conger	Rogers	Smith	Wright
Bristol				

Mr. Babcock then moved to amend by adding at the end of the 8th section: "The said directors shall also at the same time elect a comptroller of the finances, treasurer, auditor of accounts, and paymaster for said corporation, who are to be authorised to appoint under them the necessary deputies to perform the duties imposed by the name of the offices above enumerated, subject to the approval of the directors; and the executive and financial departments shall be kept wholly separate and distinct from each other," and called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	VanSchoonhoven	Williams	
Beekman	Huntington	Taber	Ward		9

FOR THE NEGATIVE.

Bartlett	Clark	Jones	Munroe	Rogers	
Bennett	Conger	McElwain	Newcomb	Smith	
Bristol	Davenport	McMurray	Otis	Wright	12

Mr. Babcock then moved further to amend said section by inserting in the third line thereof, after the word "estate," the words "not exceeding for its roadway a strip 300 feet in width."

Debate was had thereon, when

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	Pierce	VanSchoonhoven	Ward	
Beekman	Jones	Platt			8

FOR THE NEGATIVE.

Bennett	Davenport	Munroe	Rogers	Williams	
Bristol	Huntington	Newcomb	Smith	Wright	
Clark	McMurray	Otis	Upham		14

At a quarter before 2 o'clock p. m.,
The Senate adjourned to 10½ o'clock Monday morning.

MONDAY, FEBRUARY 28, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Pohlman.

The journal of Saturday was read and approved.

Mr. Upham presented the petition of Mary Savage and Philip Heuson, of Niagara county, for the passage of a law authorising

them to hold certain property, late the estate of Henry Goss, deceased, an alien, which was referred to the committee on the judiciary.

Mr. Babcock presented the petition of 2600 citizens of Buffalo, in favor of the bill limiting grants and devises to ecclesiastical officers, which was referred to the committee of the whole.

Mr. Jones presented the petition of certain citizens of Orange county, for an act authorising notaries public to administer oaths for general purposes, which was referred to the committee on the judiciary.

Mr. Williams presented the petition of sundry citizens, of the town of Groton, Tompkins county, for passage of law to discontinue a certain road in said town, which was referred to the committee on roads and bridges.

Mr. Cooley presented the petition of F. Campbell Stewart, for amendment of emigrant laws on public health, so as to restore the office of physician of marine hospital, which was referred to a select committee.

Mr. Cooley presented the remonstrance of citizens of New-York, against the passage of a law to prevent ecclesiastical devises &c., which was referred to the committee of the whole.

Mr. Cooley presented the petition of supervisors of Richmond county, for an extension of time for collecting taxes in the town of Northfield, in said county, which was referred to the committee on the internal affairs of towns and counties.

Mr. Davenport presented the remonstrance of citizens of Jefferson county, against law to prevent ecclesiastical devises vesting in successors, which was referred to the committee of the whole.

A message from the Assembly was received and read informing that they had concurred in the amendments of the Senate to the bill entitled "An act to extend the time for collecting taxes in the first and second wards of the city of Buffalo, the several wards of the city of Syracuse, the several towns in the county of Albany, the towns of Stephentown, Greenbush and Schodaack, in the county of Rensselaer, the town of Kingston, in the county of Ulster, and the town of Westfield, in the county of Richmond.

Ordered, That the clerk return said bill to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to extend the time for the collection of taxes in the town of Hempstead, Queens county."

By unanimous consent,

On motion of Mr. Babcock,

The said bill was committed to the standing committee on the internal affairs of towns and counties, with instructions to report a general bill forthwith and complete.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the People's ferry company, for the purpose of establishing and conducting a ferry between the cities of New-York and Williamsburgh," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The clerk presented a communication from the clerk of Tioga county, in reply to a resolution of the Senate, calling for information in relation to equalization of assessments, which was referred to the committee of the whole.

Mr. Otis presented the annual report of the Dutchess savings bank, which was referred to the committee on banks and insurance companies.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act authorising the directors of the Ox Bow and Evans mills plank road company to assess the stockholders of said company for the payment of the debts thereof and for other purposes."

"An act authorising the appraisal and payment of damages to the legal representatives of Henry Baker, sustained by the obstruction of the water of Mill creek by the Erie canal."

Ordered, That said bills do have their third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the petition of citizens of Brooklyn, for a repeal of the law laying out a park on Brooklyn Heights, reported, and asked for, and obtained leave to bring in a bill, entitled "An act to amend an act, entitled 'An act in relation to streets and parks in the city of Brooklyn, passed April 14, 1852,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the petition of the common council of the city of Troy, for a law to enlarge their powers, reported, and asked for and obtained leave to introduce a bill entitled "An act to enlarge the powers of the common council of the city of Troy, as to streets, highways, lanes, or alleys in the said city," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Van Schoonhoven, from the committee on poor laws, to which was referred the petition of citizens of Delaware county, for a law making superintendents of the poor ineligible to the appointment of keeper of the poor house, reported, and asked for and obtained leave to introduce a bill entitled "An act to amend section 22, chapter 20, of title 1, of 1st part of the Revised Statutes, in relation to the superintendents of the poor," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was recommended the bill, entitled "An act to incorporate the widows' and orphans' fund of the Associate Presbyterian church of North America," with instructions to inquire

and report whether the objects of said bill could not be secured by general law, reported that they had complied with said resolution, and had come to the conclusion that such objects could not be secured by any general law, and therefore recommend the passage of said bill, which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to authorise the formation of corporations for ferry purposes," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Platt, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act, entitled 'An act to incorporate the Pacific mail steamship company,'" reported in favor of the passage of the same without amendment, which was committed to a committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the bill entitled "An act relating to the deaf and dumb," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Otis, from the committee on trade and manufactures, to which was referred the Assembly bill, entitled "An act to authorise the Lebanon Springs railroad company to construct an extension of its road into Massachusetts and Vermont, and to provide means therefor," with power to report the same complete, so reported.

Ordered, That said bill do have its third reading.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was committed the Assembly bill entitled "An act to extend the time for the collection of taxes in the town of Hempstead, Queens county," with instructions to report a general bill forthwith and to report complete, so reported the following entitled bill, "An act to extend the time for the collection of taxes in the several towns of this State.

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Munroe	Smith
Beekman	Cosley	Kirby	Otis	Upham
Bennett	Cornell	McElwain	Pierce	VanSchoonhoven
Bristol	Davenport	McMurray	Platt	Ward
Clark	Huntington	Morgan	Rogers	Williams 25

FOR THE NEGATIVE.

Wright

Ordered, That the Clerk return said bill to the Assembly, with a message informing them that the Senate have passed the same with the amendments therewith delivered.

Mr. Pierce called for the consideration of the report of the select committee, to which was referred the bill entitled "An act to authorise the board of supervisors of the county of Greene, to levy a tax on the town of Catskill," with power to report the same complete.

The President announced the question to be on agreeing with the report of the committee.

The President put the question whether the Senate would agree to the said report, and it was decided in the negative.

Mr. Cornell moved a reconsideration of said vote.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on agreeing to the report of the select committee on said bill.

Mr. Pierce moved to strike out the amendments to said bill as proposed by the select committee.

Debate was had thereon, when

At a quarter before 2 o'clock p. m.,

The Senate adjourned to 10½ o'clock to-morrow morning.

TUESDAY, MARCH 1, 1853.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Cooley presented the petition of inhabitants of Queens county, for locating and constructing a new court house, which was referred to the committee on the internal affairs of towns and counties.

Mr. Cooley presented the petition of the owners of property on Division avenue in the city of Brooklyn, in relation to the same, which was referred to the committee on the incorporation of cities and villages.

Mr. Cooley presented the remonstrance of inhabitants of the city of New-York, against the passage of a law to prevent ecclesiastical devises, which was referred to the committee of the whole.

Mr. Wright presented the petition of the trustees and other citizens of the village of Whitehall, for an amendment of its charter, which was referred to the committee on the incorporation of cities and villages.

Mr. Cooley presented two remonstrances of inhabitants of the

city of New-York, against the passage of a law to prevent ecclesiastical devises, which was referred to the committee of the whole.

Mr. Munroe presented the annual report of the Syracuse Savings Institution, which was referred to the committee on banks and insurance companies.

Mr. Morgan presented resolutions adopted at a meeting of citizens of New-York, asking an appropriation for the benefit of the aged, infirm, sick and needy survivors of the war of 1812, which was referred to the committee on finance.

Mr. Clark, from the committee on roads and bridges, to which was referred the petition of citizens of Canajoharie authorising the Canal Commissioners to build a bridge, reported, and asked and obtained leave to introduce a bill entitled "An act authorising the Canal Commissioners to erect a bridge over the Canajoharie creek in the village of Canajoharie," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Rogers, from the committee on State prisons, to which was referred the bill entitled "An act for the relief of the families of State prison convicts," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act authorising the incorporation of rural cemetery associations,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Williams, from the select committee, to which was referred the petitions and other papers asking provision to drain the Cayuga marshes &c., reported, and asked and obtained leave to introduce a bill entitled "An act to provide for the effectual draining of the Cayuga marshes and swamp lands," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Otis, from the select committee, to which was referred the petitions in relation to an amendment of the emigrant laws and laws about public health, reported, and asked and obtained leave to introduce a bill entitled "An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the bill entitled "An act to extend the time for the collection of taxes in the several towns of this State."

Ordered, That the clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence, entitled

"An act in relation to plank roads in the counties of Clinton and Essex," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice,

Mr. Munroe asked for and obtained leave to introduce a bill entitled "An act to make a road district of the village of Elbridge, and concerning the payment of taxes therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice,

Mr. McElwain asked for and obtained leave to introduce a bill entitled "An act to authorise the Superintendent of Common Schools to purchase Stryker's American Register for common school districts of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice,

Mr. Clark asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to provide for the construction of a railroad from the head of Seneca lake to the New-York and Erie railroad in the county of Chemung,' passed May 14, 1845," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice,

Mr. Beach asked for and obtained leave to introduce a bill entitled "An act to constitute the village of Moravia a separate road district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice,

Mr. Taber asked for and obtained leave to introduce a bill entitled "An act to incorporate the Albany and New-Baltimore ship canal and basin company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Otis gave notice that he would, at an early day, bring in a bill to empower the commissioners of highways of the towns of Livingston, Clermont and Germantown, to borrow money and levy a tax for the payment of the sums borrowed, to build a bridge over the Roeliff Johnson Kill creek, in the town of Livingston, Columbia co.

Mr. Beach gave notice that he would, at an early day, ask leave to introduce a bill to amend the general banking law.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill to amend the laws relative to assessments in the city of New-York.

Mr. Morgan gave notice that he would, at an early day, ask

leave to introduce a bill to enable Julio Arboleda, a citizen of the Republic of New Granada, to acquire, hold and convey real estate.

Mr. Cornell gave notice that he would, at an early day, ask leave to introduce a bill prohibiting law partners of justices of the peace from practising before such justices.

Mr. Cornell gave notice that he would, at an early day, ask leave to introduce a bill to amend the act entitled "An act to incorporate the Junction canal company."

The bill entitled "An act to amend an act entitled 'An act relative to the powers of the common council of the city of New-York and the police and criminal courts of said city,' passed January 23, 1833," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Newcomb	Smith
Beach	Huntington	McMurray	Otis	Upham
Beekman	Jones	Morgan	Platt	Williams
Bennett	Kirby	Munroe	Rogers	Wright
Cooley				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorise the election of police officers in the town of Newburgh,' passed March 12, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Taber
Bartlett	Cooley	McElwain	Pierce	Upham
Beekman	Cornell	Morgan	Platt	Ward
Bennett	Davenport	Munroe	Rogers	Williams
Bristol	Huntington	Newcomb	Smith	Wright
Clark	Jones			

27

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorising the payment of money to Augustus Cornwall for giving information of an escheat," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Kirby	Pierce	Upham
Beekman	Huntington	Newcomb	Rogers	Ward
Bennett	Jones	Otis	Taber	Wright
Clark				

16

FOR THE NEGATIVE.

McMurray	Munroe	Williams
----------	--------	----------

3

The bill entitled "An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Morgan	Taber
Bartlett	Clark	Jones	Munroe	Upham
Beach	Conger	Kirby	Otis	Ward
Beekman	Cornell	McElwain	Platt	Williams
Bennett	Davenport	McMurray	Rogers	Wright

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Clinton Hall association of the city of New-York, passed February 13, 1830," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	McMurray	Otis	Upham
Beach	Huntington	Morgan	Platt	Ward
Beekman	Kirby	Munroe	Rogers	Williams
Bennett	McElwain	Newcomb	Taber	Wright

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the formation of corporations for the erection of buildings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	Morgan	Platt	Upham
Bartlett	Jones	Munroe	Rogers	Ward
Beekman	Kirby	Newcomb	Smith	Wright
Bennett	McElwain	Otis	Taber	

19

FOR THE NEGATIVE.

Beach Bristol 2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Dundee,' passed March 17, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Newcomb	Smith
Bartlett	Cooley	McElwain	Otis	Upham
Beach	Cornell	Morgan	Platt	Ward
Beekman	Huntington	Munroe	Rogers	Wright
Bennett				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to revise, amend, and consolidate the several acts relating to the charter of the village of Rome," was read the third time

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Platt	Upham
Bartlett	Cooley	McElwain	Rogers	Ward
Beekman	Davenport	Morgan	Smith	Williams
Bennett	Huntington	Munroe	Taber	Wright
Bristol	Jones	Newcomb		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

The Assembly bill entitled "An act in relation to plank roads in the counties of Clinton and Essex," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Beekman	Davenport	Morgan	Rogers	VanSchoonhoven
Bennett	Huntington	Munroe	Smith	Ward

Bristol	Jones	Newcomb	Taber	Williams
Clark	Kirby	Otis	Upham	Wright
Conger	McElwain	Platt		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The hour of 12 o'clock, m. having arrived,

The President announced the special order, being an executive session.

Mr. Cooley moved that the Senate resume legislative business.

Mr. McMurray called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Munroe	Taber	Ward
Beach	Huntington	Newcomb	Upham	Williams
Beekman	McElwain	Platt	Van Schoonhoven	Wright
Clark	Morgan			

17

FOR THE NEGATIVE.

Bartlett	Conger	Jones	Otis	Rogers
Bennett	Cornell	Kirby	Pierce	Smith
Bristol	Davenport	McMurray		

18

The Assembly bill entitled "An act to authorise the Lebanon Springs railroad company to construct an extension of its road into Massachusetts and Vermont, and to provide means therefor," was read a third time.

The clerk then proceeded with the call of the list on the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Kirby	Newcomb	Upham
Beach	Davenport	McElwain	Otis	Ward
Beekman	Huntington	McMurray	Platt	Wright
Bristol	Jones	Munroe	Taber	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Syracuse water works company, passed April 5, 1849,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Kirby	Platt	Ward
Beekman	Davenport	McElwain	Taber	Williams
Bristol	Huntington	Morgan	Upham	Wright
Cooley	Jones	Munroe		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the directors of the Ox-bow and Evans Mills plank road company to assess the stockholders of said company for the payment of the debts thereof, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Kirby	Otis	Ward	
Beekman	Davenport	McElwain	Platt	Williams	
Bristol	Huntington	Morgan	Taber	Wright	
Clark	Jones	Munroe	Vanderbilt		19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorising the appraisal and payment of damages to the legal representatives of Henry Baker, sustained by the obstruction of the water of Mill creek by the Erie canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of the said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Taber	Ward	
Bartlett	Huntington	Morgan	Upham	Williams	
Beekman	Jones	Otis	Vanderbilt		14

FOR THE NEGATIVE.

Beach	Cooley	McElwain	Munroe	Platt	
Bristol	Cornell	McMurray	Newcomb	Wright	
Conger	Davenport				12

Mr. Cornell moved a reconsideration of the vote just taken on said bill, and that said motion be laid upon the table.

The President announced the question to be on laying the said motion on the table.

Mr. Beach called for the ayes and noes:

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Davenport	Morgan	Ward	
Bartlett	Conger	Huntington	Otis	Williams	
Beekman	Cooley	Jones	Taber	Wright	
Bristol	Cornell	Kirby	Upham		19

FOR THE NEGATIVE.

Beach
McElwainMcMurray
Munroe

Newcomb

Platt

Vanderbilt

Y

Mr. Babcock moved a reconsideration of the vote taken this morning on the third reading of the bill entitled "An act authorising the payment of a sum of money to Augustus Cornwall for giving information of an escheat."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock then moved that said bill be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Beekman,

Resolved, That the Comptroller report, at an early day, whether the volunteers and militia called into service by the State of New-York during the war of 1812, 1813 and 1814 (now known as the Veteran Corps in the city of New-York), have received, from this State, in addition to their pay from the United States, so much as would amount in all to the monthly pay of a sergeant at fifteen dollars, a corporal or musician at fourteen dollars, and a private at thirteen dollars; and also whether each officer, noncommissioned officer, musician and private of the militia who were called into the service by State authority, has received such sums as they would be entitled to by law, if in the service of the United States, as provided by an act authorising additional pay to be made to the volunteers and for paying the militia called into service by the State authority, passed October 21, 1814, and by an act to authorise the raising of troops for the defence of this State, passed October 24, 1814, and by an act to organize the militia, passed April 21, 1828

On motion of Mr. Morgan,

Whereas, it appears from the appendix to the annual report of the Comptroller, that at the commencement of the present fiscal year, there remained due to the State from county treasurers on account of the State tax payable in 1852, the sum of \$64,303.37, which sum is not included in the Comptroller's estimate of receipts for the present fiscal year;

Resolved, That the Comptroller be requested to furnish the Senate with a statement showing the counties from which the aforesaid sum is due, whether any steps have been taken to secure the payment of the same, and what portion of the amount of such arrears, if any, has been paid since the commencement of the fiscal year.

On motion of Mr. Kirby, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill, general orders 58, and that the same be referred to the committee on banks and insurance companies with instructions to report the bill to the Senate complete.

On motion of Mr. Beekman, and by unanimous consent,

Resolved, That Assembly bill, No. 26, being "An act to change the name of the Building association fire insurance company, to that of the Hamilton fire insurance company," be taken from the general orders and referred to a select committee with power to report complete.

On motion of Mr. Upham, and by unanimous consent,

Resolved, That Senate bill, No. 110, entitled "An act to consolidate and amend the several acts relating to the village of Batavia," be taken from the general orders and referred to a select committee to report complete.

On motion of Mr. Platt, and by unanimous consent,

Resolved, That Senate bill, No. 51, be recommitted to the committee on commerce and navigation, with power to report it complete.

Mr. Bristol called for the consideration of the resolution offered by him on the 25th ult., in relation to the adjournment of the Senate from day to day.

Debate was had thereon, when

Mr. Vanderbilt moved to amend, by striking out all after the word "resolved" in the said resolution, and insert as follows: "that when this Senate enter upon the consideration of any bill or resolution for the enlargement and completion of the canals of this State, and as often as that question shall be under consideration, that the rule now requiring an adjournment at a quarter before two o'clock, be suspended."

Debate was had thereon, when

Mr. Vanderbilt withdrew his said amendment.

Mr. Williams moved to amend, by inserting after the word "rescinded" the words "whenever any bill relating to the canals of this State is under consideration."

Debate was had thereon, when

At a quarter to two o'clock, p. m., the Senate adjourned to half-past ten o'clock, a. m., to-morrow.

WEDNESDAY, MARCH 2, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Pohlman.

The journal of yesterday was read and approved.

Mr. Cooley presented the memorial of the Mutual life insurance company of New-York, for relief against tax on certain funds &c., which was referred to the committee on the judiciary.

Mr. Cooley presented the petition of many citizens of Queens county, for locating and constructing a new court house, which was referred to the committee on the internal affairs of towns and counties.

Mr. Cooley presented two remonstrances of citizens of New-York, against the passage of a law to prevent ecclesiastical devises, which was referred to the committee of the whole.

Mr. Morgan presented the petition of Julio Arboleda, for the passage of a law to enable him to acquire, hold and convey real estate, which was referred to the committee on the judiciary.

Mr. Williams presented the memorial of John Mitchell and Alexander Simpson, relative to the laying out of a certain road in the town of Groton, county of Tompkins, which was referred to the committee on roads and bridges.

Mr. Williams presented the petition of citizens of the town of Groton, Tompkins-co., for the passage of a law to discontinue a certain road in said town, which was referred to the committee on roads and bridges.

• Mr. Babcock presented the petition of citizens of the town of Eden, Erie co., for the passage of the bill limiting grants and devises to ecclesiastical officers, which was referred to the committee of the whole.

By unanimous consent.

Mr. Beekman offered for the consideration of the Senate a resolution, in the words following, to wit:

Resolved, That the commission appointed by certain resolutions of the Senate, passed April 12, 1851, and continued by a resolution passed February 28, 1852, be and they hereby are directed, forthwith to lay before the Senate, as part of their report, the balance sheet and accounts connected therewith, which have been submitted to said commission, by their accountant under oath.

Debate was had thereon, when

• Mr. Taber moved to amend by striking out the word "forthwith," and all after it, and insert "to report, without unnecessary delay, and after a joint hearing of the parties accused, the result of their investigation, and the documents and statements necessary to an understanding of their conclusions."

Debate was further had thereon, when, at a quarter before two o'clock p. m.,

The Senate adjourned until 10½ o'clock to-morrow morning.

THURSDAY, MARCH 3, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Post.

The journal of yesterday was read and approved.

Mr. Otis presented the petition of sundry citizens of the towns

of Livingston, Clermont and Germantown, for a law to borrow money to build a bridge, &c., which was referred to the committee on roads and bridges.

Mr. Clark presented the petition of citizens of the counties of Ontario and Wayne, for an amendment of the general plank road law; also the petition of the citizens of Wayne county, for an amendment of the general plank road law, which were referred to the committee on roads and bridges.

Mr. Rogers presented the petition of citizens of Warren county, against the manufacture and sale of intoxicating liquors as a beverage, which was referred to the committee on the internal affairs of towns and counties.

Mr. Cooley presented three several remonstrances of inhabitants of the city of New-York, against the passage of a law to prevent ecclesiastical devises, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of Esther Taylor and others, for release of interest of State in certain lands, &c., reported, asked and obtained leave to introduce a bill entitled "An act to release the interest of the people of the State of New-York in certain lands in the county of Erie, to Erasta Ann Wright," which was read the first time, and by unanimous consent, was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of certain citizens of Orange county, for a law to authorise public notaries to administer oaths for general purposes, reported adversely, and moved that the prayer of the petitioners be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of surviving trustees of Antwerp Co., for an extension of the time allowed them to hold real estate, reported, and asked and obtained leave to introduce a bill entitled "An act to extend the time allowed Pierre Joseph Decaters and others, to hold and convey certain real estate," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the memorial of ministers, elders and deacons of the Reformed Dutch Church, on the corner of Green and Houston streets, for change of name, &c., reported, asked for and obtained leave to introduce a bill entitled "An act to authorise the ministers, elders and deacons of the Reformed Dutch Church, on the corner of Green and Houston streets, in the city of New-York, to change their name," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Cooley, from the committee on banks and insurance companies, to which was recommitted the bill entitled "An act to incorporate the United States Trust Company of New-York, with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to amend the Ulster County Savings Institution," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the construction of a railroad from the head of Seneca lake to the New-York and Erie railroad, in the county of Chemung,' passed May 14, 1845," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Platt, from the committee on commerce and navigation, to which was recommitted the bill entitled "An act authorising Millett Secor to establish a ferry across Long-Island Sound, from the town of New Rochelle in the county of Westchester, to Glen Cove in the county of Queens," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Jones, from the committee on claims, to which was referred the petition of McMaster & Merritt, for relief, reported favorably in writing, and asked and obtained leave to introduce a bill entitled "An act for the relief of McMaster & Merritt," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act to authorise the Superintendent of Common Schools to purchase Stryker's American Register, for the common school districts of this State," reported the same for the consideration of the Senate, which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. McElwain, from the committee on agriculture, to which was referred the petition of citizens of Fulton, Saratoga and Montgomery counties, for the incorporation of the Live Stock Insurance Company, reported, and asked and obtained leave to introduce a bill entitled "An act to incorporate the New-York Live Stock Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred divers petitions of citizens of Genesee and Erie counties, for a law authorising highway work on Buffalo and Batavia plank road, reported, and asked and obtained leave to

introduce a bill entitled "An act to amend an act to provide for the incorporation of companies to construct plank roads, and of companies to construct turnpike roads, passed May 7, 1847, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to allow the Salina, Liverpool and Clay Plank Road Company, to abandon a part of their road," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the select committee, to which was referred the bill entitled "An act relating to the penitentiary in the county of Kings," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Vanderbilt, from the select committee, to which was referred the bill entitled "An act authorising the board of supervisors of Kings county, to raise money by loan, to be applied in completion of the hospital and lunatic asylum on the county farm in said county," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Beekman, from the select committee, to which was referred the Assembly bill entitled "An act to change the name of the Building Association Fire Insurance Company, to that of the Hamilton Fire Insurance Company," with power to report complete, so reported.

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act to vest in the United States of America jurisdiction over certain lands in Brooklyn," which was read the first time, and by unanimous consent was also read a second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

In pursuance of previous notice, and by unanimous consent,

Mr. Wright asked for and obtained leave to introduce a bill entitled "An act to amend an act passed March 16, 1850, consolidating the several acts relating to the village of Whitehall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, and by unanimous consent,

Mr. McMurray asked for and obtained leave to introduce a bill entitled "An act to amend section 38, of article 4, of chapter 7, title 3, of part third of the Revised Statutes, in relation to the taking of testimony of witnesses in suits commenced in other States or Territories," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act for the relief of owners of real estate in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee, consisting of the Senators from the third, fourth, fifth and sixth districts.

By unanimous consent,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act relating to the Union Cemetery, in the town of Bushwick, county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act to enable Bernardo Escorihuela to hold real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Clark asked for and obtained leave to introduce a bill entitled "An act to exempt plank road companies from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. McMurray asked for and obtained leave to introduce a bill entitled "An act to legalize and confirm a certain conveyance heretofore made by the minister, elders and deacons of the Reformed Dutch Church, on the corner of Green and Houston street, in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and together with the petition relating thereto, referred to the committee on the judiciary.

By unanimous consent,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to release the interest of the State in certain escheated lands to Catharine W. Boyd," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Wright gave notice that he would at an early day, ask leave to introduce a bill to amend the Revised Statutes, in relation to perpetuating testimony in certain cases.

By unanimous consent,

Mr. Taber offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That 400 extra copies of the report of the trustees of the State library be printed for their use.

Ordered, That said resolution be referred to the committee on public printing.

A bill was received from the Assembly for concurrence, entitled

"An act to authorise the clerk of the county of Orleans, to transcribe so much of the records of Genesee county as relates to lands in the county of Orleans," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to punish gross frauds and to suppress mock auctions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to authorise a part of the records of the counties of Ontario and Steuben to be transmitted and deposited in the clerk's office of the county of Yates,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bill:

"An act to amend an act to incorporate the Clinton Hall association of the city of New-York, passed February 13, 1830."

Ordered, That the Clerk deliver said bill to the Governor.

The president presented the report of the Secretary of State in reply to a resolution of the Senate in relation to the Documentary History, or the use of documents in his office for private purposes, which was referred to the committee of the whole.

In pursuance of previous notice,

Mr. Morgan asked for and obtained leave to introduce a bill entitled "An act to enable Julio Arboleda, to acquire, hold, convey and devise real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Morgan asked for and obtained leave to introduce a bill entitled "An act in relation to the cemetery grounds of the Shearith Isreal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice,

Mr. Beach asked for and obtained leave to introduce a bill entitled, "An act to enlarge the basis of circulating notes for banking purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. Otis asked for and obtained leave to introduce a bill enti-

tled "An act to authorise the commissioners of highways of the towns of Livingston, Clermont and Germantown, to build a bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Conger gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to confirm the title of Dennis Ford to real estate conveyed to him by John Hart."

Mr. Munroe gave notice that he would, at an early day, ask leave to introduce a bill to amend the general railroad law.

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill to amend the general railroad act of 1850; also a bill to authorise the Buffalo and New-York city railroad company to construct a freight track.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act relating to commissioners of deeds and notaries public in the city of New-York;" also "An act to amend an act as far as the same applies to the city of New-York, entitled 'An act respecting elections other than for militia and town officers,' passed April 5, 1842."

Mr. Beach gave notice that he would, at an early day, ask leave to introduce a bill restricting cities in contracting debt.

Mr. Jones offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the petitions and papers of J. H. Babcock, Lewis Ransom, John C. Phillips, David Diefendorf and Charles Diefendorf, be taken from the files and returned to said petitioners.

Mr. Pierce moved to lay said resolution on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the said resolution, and it was decided in the negative.

The Clerk presented a report from clerks of St. Lawrence, Cayuga, Monroe and Sullivan counties, in reply to a resolution of the Senate, calling for information in relation to equalization of assessments, which was referred to the committee of the whole.

Mr. Pierce moved to take up the report of the select committee on the bill entitled "An act to authorise the board of supervisors of the county of Greene, to levy a tax on the county of Greene."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on the amendment offered by Mr. Pierce on the 28th ult., to wit: on striking out the words "the county of Greene" in the title and first section of said bill, and the word "county" at the end of said first section, and insert the "town of Catskill" in said title and first section, and also the word "town" at the end of said first section."

Debate was had thereon, when

Mr. Van Schoonhoven moved to amend the amendment of Mr.

Pierce, by striking out the words "town of Catskill" after the word "the" in the third line of the first section, and insert "of such town or towns of the county of Greene as in their judgment shall be deemed equitable and just."

Debate was had thereon, when

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Cooley	Munroe	Taber	Upham	VanSchoonhoven
McElwain	Platt			7

FOR THE NEGATIVE.

Bennett	Cornell	Kirby	Newcomb	Rogers
Bristol	Davenport	McMurray	Pierce	Ward
Conger	Jones	Morgan		13

The President put the question whether the Senate would agree to the said amendment of Mr. Pierce, and it was decided in the affirmative.

Mr. Van Schoonhoven then moved to amend said bill as amended, by striking out the first section, and inserting the following :

"The taxable inhabitants of the town of Catskill are hereby authorised, at their next annual meeting, or at any subsequent annual meeting of the inhabitants of said town, held therein, to vote and raise by tax upon the taxable inhabitants and property of said town, in addition to the taxes which may now by law be raised upon said inhabitants and property, a sum not exceeding one thousand dollars, for the purpose of enabling the road commissioners of said town to build a bridge across the Catskill creek between the mill known as the Van Vechten mill and the junction of the Cauterskill and Catskill creeks, said tax to be levied in the same manner as other taxes of said town."

Debate was had thereon, when

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Clark	McElwain	Taber	VanSchoonhoven	Williams
Cooley	Platt	Upham		8

FOR THE NEGATIVE.

Babcock	Bennett	Davenport	McMurray	Pierce
Bartlett	Bristol	Huntington	Munroe	Rogers
Beach	Conger	Jones	Newcomb	Ward
Beekman	Cornell	Kirby	Otis	19

At a quarter to two o'clock, p. m.

The Senate adjourned until 10½ o'clock to-morrow morning.

FRIDAY, MARCH 4, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Cooley presented the memorial of the commissioners of emigration, respecting the office of physician of the marine hospital, which was referred to the committee of the whole.

Mr. Cooley presented two remonstrances of citizens of New-York city, against the passage of a law to prevent ecclesiastical devises, which were read and referred to the committee of the whole.

Mr. Babcock presented a resolution passed at a town meeting in Alden, Erie county, against any division of said county, which was referred to the committee on the erection and division of towns and counties.

Mr. Clark presented the petition of the electors residing in road districts 18 and 19 in Ledyard, for the union of said districts, which was referred to the committee on roads and bridges.

Mr. McMurray presented the memorial of citizens of N. Y. city, in relation to abuses in city government, and for amendment of city charter, which was referred to a select committee consisting of the Senators of the 3d, 4th, 5th and 6th districts.

Mr. McMurray presented the memorial of the New-York Eye and Ear infirmary, asking for an appropriation of \$20,000, which was referred to the committee on finance.

Mr. Taber presented the petition of citizens of the country towns of Albany county for a division of the county, which was referred to the committee on the erection and division of towns and counties.

Mr. Snow presented the petition of Charles Hawley, for relief on account of canal damages, which was referred to the committee on claims.

Mr. Taber presented the remonstrance of citizens of Schenectady county, against the passage of a law to supply that city with water, which was referred to the committee on the incorporation of cities and villages.

The President presented the report of the majority of the commissioners appointed heretofore by the Senate of this State to examine the affairs of Union college, which was laid on the table.

Mr. Babcock presented the report of two of the persons composing said commission, to wit: Messrs. Van Rensselaer and Buel, which was laid on the table.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to amend an act, entitled 'An act to incorporate the association for the exhibition of the industry of all nations, passed March 11th. 1852.'"

"An act to authorize the mayor and chief of police of the city of New-York to make provision for an efficient police for the protection of the crystal palace in that city."

"An act to extend the time for the collection of taxes in the town of Pomfret, in the county of Chautauque, and in the town of Rome, in the county of Oneida."

"An act to amend an act, entitled 'An act to incorporate the Clinton Hall association of the city of New-York, passed February 23, 1836.'"

The President presented the report of the Comptroller in reply to the resolution of the Senate, in relation to the pay, &c. of the officers and soldiers of the war of 1812, which was referred to the committee on militia.

The President presented a report in reply to a resolution of the Senate in relation to unpaid taxes from certain counties, &c., which was referred to the committee on finance.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to provide for the distribution of standard works of American authors among the libraries of district schools."

"An act for the relief of the Union Bank of Troy."

"An act to amend an act, entitled 'An act to incorporate the New-York and Montgomery mining company.'"

And after some time spent thereon, Mr. Huntington, from said committee reported that they had struck out the enacting clause from said first entitled bill; also, reported progress on the said 2d and 3d mentioned bills, and asked leave to sit again.

Mr. Cornell moved that the report of the committee on the first entitled bill be laid on the table.

Mr. Van Schoonhoven called for the ayes and noes.

Mr. President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol	Cornell	Davenport	Jones	McMurray	5
---------	---------	-----------	-------	----------	---

FOR THE NEGATIVE.

Babcock	Bennett	Kirby	Newcomb	Upham
Bartlett	Clark	McElwain	Otis	Vanderbilt
Beach	Cooley	Morgan	Platt	VanSchoonhoven
Beekman	Huntington	Munroe	Taber	19

Mr. Bristol moved to amend the report of said committee by restoring the enacting clause to said bill, when,

At a quarter before 2 o'clock p. m.,

The Senate adjourned to 10½ o'clock to-morrow morning.

SATURDAY, MARCH 5, 1853.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Cooley presented six several remonstrances of citizens of the city of Brooklyn against a law to prevent ecclesiastical devises, which was referred to the committee of the whole.

Mr. Williams presented the remonstrance of Albert Wilcox of the town of Groton, county of Tompkins, against any law discontinuing a certain road in said town, which was referred to the committee on roads and bridges.

Mr. Babcock presented a resolution passed at a town meeting in West Seneca, Erie county, against any division of said county, which was referred to the committee on the internal affairs of towns and counties.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorise the commissioners of highways of the towns of Livingston, Clermont and Germantown, to build a bridge," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to constitute the village of Moravia a separate road district," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to make a road district of the village of Elbridge and concerning the payment of taxes therein,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

On motion of Mr. Musroe, and by unanimous consent,
Ordered, That said bill be engrossed for a third reading.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to erect the town of Gardiner, in the county of Ulster," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Jones, from the committee on claims, to which was referred the petition, &c., of De Huron Lent for canal damages, reported adversely in writing, and moved that the prayer of the petitioner be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred numerous petitions, resolutions, &c., of citizens of this State in relation to the sale of intoxicating drinks, reported, and asked and obtained leave to introduce a bill entitled "An act to prevent the sale of intoxicating liquors as a beverage," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the petition and other papers in relation to a foot bridge across the Niagara river at Niagara Falls, reported, and asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Niagara Falls international bridge company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was recommitted the bill entitled "An act relative to common schools in the city of New-York," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act relating to the penitentiary in the county of Kings."

"An act authorising the board of supervisors of the county of Kings to raise money by loan to be applied in completion of said hospital and lunatic asylum on the county farm in said county."

"An act to vest in the United States of America jurisdiction over certain lands in the city of Brooklyn and adjacent thereto."

"An act to incorporate the United States trust company of New-York."

"An act authorising Willett Secor to establish a ferry across Long Island Sound, from the town of New-Rochelle, in the county of Westchester, to Glen Cove, in the county of Queens."

Ordered, That said bills do have their third reading.

On motion of Mr. Bartlett, and by unanimous consent,

Resolved, That bill No. 195, entitled "An act to amend section twenty-two, of chapter twenty, of title one, of first part of the Revised Statutes in relation to superintendents of the poor, be engrossed for a third reading.

By unanimous consent,

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the bill entitled "An act relating to the Union cemetery in the town of Bushwick, county of Kings," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

By unanimous consent,

Mr. Van Schoonhoven asked for and obtained leave to introduce a bill entitled "An act to authorise stockholders of railroad com-

panies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Pierce called for the consideration of the report of the select committee to which was referred the bill entitled "An act to authorise the board of supervisors of the county of Greene, to levy a tax on the town of Catskill."

The President announced the question to be on agreeing to the report of said committee as amended by the amendment of Mr. Pierce, adopted by the Senate on the third inst.

Mr. Van Schoonhoven moved further to amend the report of said committee, by striking out the first section as amended, and inserting the following, as a substitute:

"The electors of the town of Catskill are hereby authorised, at their next annual town meeting, or at any subsequent annual town meeting of the electors of said town, held therein, to vote and raise by tax upon the taxable inhabitants and property of said town, in addition to the taxes which may now by law be raised upon said inhabitants and property, a sum not exceeding one thousand dollars, for the purpose of enabling the road commissioners of said town, to build a bridge across the Catskill creek, between the mill known as the Van Vechten mill and the junction of the Cauterskill and Catskill creeks, said tax to be levied in the same manner as other taxes of said town."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question on agreeing to the report of said committee as amended, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

The Clerk presented a report from clerks of St. Lawrence, Cayuga, Monroe and Sullivan counties, in reply to a resolution of the Senate, asking information respecting equalization of assessments, &c., which was referred to the committee of the whole.

In pursuance of previous notice,

Mr. Cornell asked for and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to incorporate the Junction canal company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act to amend an act incorporating the East river mutual insurance company and to change its name, passed March 18, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to confirm the title of Dennis Ford to real estate conveyed to him by John Hart," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly bill, entitled "An act to change the name of the building association fire insurance company, to that of Hamilton insurance company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Morgan	Vanderbilt
Bartlett	Clark	Jones	Newcomb	Ward
Beekman	Conger	Kirby	Taber	Williams
Bennett	Davenport	McElwain		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to vest in the United States of America jurisdiction over certain lands in the city of Brooklyn and adjacent thereto," having been read a third time,

Mr. Babcock moved to recommit the same with instructions to strike out the sixth section.

Debate was had thereon, when

Mr. Babcock withdrew his said motion.

Mr. Vanderbilt asked and obtained unanimous consent to amend the said bill by adding at the end of section 6, the following: "and such consent shall be given when the conditions in this act contained shall be complied with by the government of the United States."

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Davenport	McElwain	Vanderbilt
Bartlett	Clark	Huntington	Morgan	Ward
Beekman	Conger	Jones	Munroe	Williams
Bennett	Cooley	Kirby	Taber	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorising Willett Secor to establish a ferry across Long Island Sound, from the town of New Rochelle, in the county of Westchester, to Glen Cove, in the county of Queens," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Davenport	Morgan	Taber
Bartlett	Clark	Jones	Munroe	Vanderbilt
Beekman	Conger	Kirby	Newcomb	Williams
Bennett	Cooley	McElwain	Pierce	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relating to the penitentiary in the county of Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Morgan	Taber
Bartlett	Conger	Jones	Munroe	Vanderbilt
Beekman	Cooley	Kirby	Newcomb	Williams
Bristol	Davenport	McElwain	Pierce	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorising the board of supervisors of Kings county, to raise money by loan, to be applied in completion of the hospital and lunatic asylum on the county farm in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Vanderbilt
Bartlett	Conger	Kirby	Newcomb	VanSchoonhoven
Beekman	Cooley	McElwain	Pierce	Ward
Bennett	Davenport	Morgan	Taber	Williams
Bristol	Huntington			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Munroe,

Resolved, That Assembly bill No. 13, being "An act to amend the act in relation to railroads," be taken from the committee of the whole, and referred back to the committee on railroads for amendment.

Mr. Kirby offered for the consideration of the Senate a resolution, in the words following, to wit:

Resolved, That the clerk of the Senate be directed to procure copies of the red book for the Senate reporters, the same to be paid out of the contingent fund.

Mr. Pierce moved to amend by striking out the words "the same to be paid out of the contingent fund."

Mr. Kirby accepted of said amendment.

Mr. Ward moved to further amend by inserting after the word "reported," in said resolution, the words "and messengers."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Williams moved to further amend by adding, "also that an extra copy be furnished to each member of the Senate."

Debate was had thereon, when

Mr. Williams withdrew his amendment.

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

By unanimous consent,

On motion of Mr. Bristol,

Resolved, That Assembly bill No. 45, relating to paying the Cayuga nations of Indians an annuity, be referred to a select committee to report complete.

Mr. Bennett offered for the consideration of the Senate a resolution in the words following to wit :

Resolved, That on Monday next and thereafter the Senate will at a quarter before 2, take a recess until half-past 3 o'clock p. m.

Mr. Munroe moved to amend by adding "and adjourn at 6 o'clock."

Mr. Bristol offered the following as a substitute :

Resolved, That on and after Monday next the Senate will convene at 10 o'clock a. m., and at a quarter before 2 o'clock, take a recess until half after six o'clock p. m.

Debate was had thereon, when, at a quarter before two o'clock p. m.,

The Senate adjourned to 10½ o'clock Monday morning.

MONDAY, MARCH 7, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The journal of Saturday was read and approved.

Mr. Babcock presented the petition of the Buffalo dispensary, for an appropriation in aid of its funds, which was referred to the committee on finance.

Mr. Babcock presented the petition of electors of the town of

Collins, Erie co., against any division of Erie co., which was referred to the committee on the internal affairs of towns and counties.

Mr. Bristol presented the petition of several inhabitants of Broome co., praying for authority to build a bridge across the Susquehanna river at Binghamton, which was referred to the committee on roads and bridges.

Mr. Williams presented the petition of citizens of the county of Seneca, for a law to provide for the draining of the Cayuga marshes, which was referred to the committee of the whole.

Mr. Cornell presented the petition of citizens of Steuben co., for an amendment of the plank road law, which was referred to the committee on roads and bridges.

Mr. Bristol presented two petitions of inhabitants of Binghamton, for a bridge across the Susquehanna river, which was referred to the committee on roads and bridges.

Mr. Clark presented the petition of citizens of Ontario county, relative to directors of railroad companies, and also in relation to way-fare on railroads, which was referred to the committee on railroads.

Mr. Van Schoonhoven presented the petition of 124 residents of the counties of Rensselaer and Washington, asking for a law authorising the president, directors and first company of the Northern turnpike road to abandon part of their road, which was referred to the committee of the whole.

Mr. Clark presented the remonstrance of inhabitants of Fordham, Westchester co., against the passage of the act to prevent ecclesiastical devises, which was referred to the committee of the whole.

Mr. Davenport presented four remonstrances of electors of Watertown, against the act limiting ecclesiastical grants, which was referred to the committee of the whole.

Mr. Taber presented the petition of inhabitants and owners of property in the city of Schenectady, for an act to enable the city to procure pure and wholesome water at the public expense, which was referred to the committee on the incorporation of cities and villages.

Mr. Williams presented the remonstrance of citizens of the town of Groton, county of Tompkins, against the passage of a law to discontinue a certain road in said town, which was referred to the committee on roads and bridges.

Mr. Beekman presented the petition of Robert Ray, and Martin R. Zabriskie, praying for the passage of an act to provide the necessary funds to construct a new reservoir, and remonstrating against any law altering the present organization of the Croton Aqueduct Board, which was referred to a select committee consisting of the Senators from the 3d, 4th, 5th and 6th, districts.

Mr. Cooley presented the remonstrance of inhabitants of the city of New-York, against the passage of a law to prevent ecclesiastical devises, which was referred to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the petition of the president and directors of the first company of the Great Western turnpike road to abandon all of their road west of twenty-seven miles on their road, and for other relief, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of the president and directors of the first company of the Great Western turnpike road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred sundry petitions relative to legislative authority to change location of toll gates upon the Newburgh and Cohecton turnpike in Orange and Sullivan counties, reported, and asked and obtained leave to introduce a bill entitled "An act to amend the act to establish a turnpike corporation for improving and making a road from the village of Newburgh, on the Hudson river, to Cohecton, on the Delaware river," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Snow, from the committee on medical societies and colleges, to which was referred the petition of John H. Stafford for canal damages, reported, and asked and obtained leave to introduce a bill entitled "An act for the appraisement of canal damages to John H. Stafford," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Clark, from the committee on roads and bridges, to which was referred the bill entitled "An act to provide for the election of a road master in the town of Ledyard," reported in favor of the passage of the same without amendment.

By unanimous consent.

Ordered, That said bill be referred to the committee on roads and bridges, with power to report complete.

Mr. Jones, from the committee on claims, to which was referred the petition of Jacob Hinds, late Canal Commissioner, asking for the passage of a law authorizing the Canal Board to audit certain expenses incurred by him in attending upon a legislative committee, reported adversely, and moved that the prayer of the petitioner be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act passed March 16, 1850, consolidating the several acts relating to the village of Whitehall," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the select committee, to which was referred

the bill entitled "An act for the relief of owners of real estate in the city of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bristol, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act in relation to the payment of certain annuities due to the Cayuga nation west of the Mississippi river," with instructions to report the same complete, so reported.

Ordered, That said bill do have its third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorise the clerk of the county of Orleans to transcribe so much of the records of Genesee county as relates to lands in the county of Orleans," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of health,' passed April 10, 1850," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the bill entitled "An act relating to the Union cemetery in the town of Bushwick, county of Kings," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be referred to a select committee to report complete.

The President appointed as such committee, Messrs. Beekman, Vanderbilt and Newcomb.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the bill entitled "An act relative to the cemetery grounds of the Congregation Shearith Israel," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

In pursuance of previous notice,

Mr. Bennett, asked for and obtained leave to introduce a bill entitled "An act to make the office of county clerk a salaried office, to reduce the fees and change the manner of keeping the records of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act relating to commissioners of deeds and notaries public in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to amend an act so far as the same applies to the city of New-York, entitled 'An act respecting elections other than for militia and town officers,' passed April 5, 1842," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on privileges and elections.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act to authorise railroad corporations to construct branch tracks for freighting and other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Cornell gave notice that he would, at an early day, ask leave to introduce a bill for the relief of the Addison and Elkland plank road company.

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the Ithaca water works company.

Mr. Taber offered for the consideration of the Senate, a concurrent resolution in the words following, to wit:

Resolved, (If the Assembly concur,) That the present Senate and Assembly, in pursuance of section one of article thirteen of the constitution of this State, propose that section one of article twelve of said constitution, be so amended that the oath of office prescribed in the last mentioned section shall read as follows:

"I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the United States, and the constitution of the State of New-York; that I will faithfully discharge the duties of the office of _____ according to the best of my ability; that I have not, directly or indirectly, contributed or agreed to contribute any money or pecuniary means to be used in or about the election at which I was chosen to said office, except for the purposes, and to the extent expressly authorised by the laws of this State, and that I have not given or promised to any voter any money, thing of value, office or appointment, or promise of official or individual influence in obtaining any office, deputation, or public place for him or any other person, to induce him to vote for or support me or any candidate or candidates at the said election."

Ordered, That said resolution be laid upon the table.

Mr. Morgan offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That a select committee of eight members of the Senate, one from each judicial district, be appointed to which shall be referred the general orders, also all motions to refer bills to standing or select committees to report complete, or to order bills to a third reading, which committee shall select therefrom such (except bills making appropriations of public money or establish-

ing claims against the State) as in the judgment of the committee are proper bills to be referred to select committees to report complete or to be ordered to a third reading.

Ordered, That said resolution be laid on the table.

Mr. Bennett called for the consideration of the resolution offered by him on the 5th inst., in the words following:

Resolved, That on Monday next, and thereafter, the Senate will, at a quarter before 2 o'clock, take a recess until 3½ o'clock, p. m.

The President announced the question to be on the substitute offered by Mr. Bristol.

Mr. Bristol modified his substitute by striking out "Monday," and inserting "to-day."

Debate was had thereon, when

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said substitute, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Jones	Kirby	Williams	
Bennett	Clark				7

FOR THE NEGATIVE.

Babcock	Cooley	McElwain	Taber	VanSchoonhoven	
Beekman	Huntington	Munroe	Vanderbilt	Ward	10

The President announced the question to be on Mr. Munroe's amendment, providing for an adjournment at 6 o'clock, p. m.

Mr. Van Schoonhoven moved to amend by striking out all after the word "Resolved," and inserting "that hereafter the Senate will meet at 10 o'clock a. m., and adjourn at 3 o'clock, p. m."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Cooley moved further to amend by striking out all after the word "Resolved," and inserting "That the Senate will hereafter meet at 10 o'clock, a. m., and adjourn at 2½ o'clock, p. m."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Jones moved to strike out all after the word "Resolved," and insert "Rescind that part of the standing order as relates to the adjournment of the Senate at a quarter to two o'clock, p. m."

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Davenport	Kirby	Vanderbilt	
Bennett	Cornell	Jones	Snow	Williams	10

FOR THE NEGATIVE.

Babcock	Cooley	McElwain	Munroe	VanSchoonhoven	
Beekman	Huntington	Morgan	Taber	Ward	
Clark					11

The President announced the question to be on Mr. Munroe's amendment.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Taber	Ward	
Clark	Huntington	Morgan	Vanderbilt	Williams	
Cornell	Jones	Munroe	VanSchoonhoven		14

FOR THE NEGATIVE.

Bartlett	Bennett	Bristol	Cooley	Snow	
Beekman					6

Mr. Babcock moved to amend by striking out "3½," and inserting "4," as the hour for the meeting of the afternoon session.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Snow	VanSchoonhoven	
Bartlett	Cornell	McElwain	Taber	Williams	
Beekman	Huntington	Munroe	Vanderbilt		14

FOR THE NEGATIVE.

Bristol	Cooley	Davenport	Kirby		4
---------	--------	-----------	-------	--	---

Mr. Clark offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That fifteen hundred extra copies of the bill, entitled "An act to prevent the sale of intoxicating drinks," reported by Mr. Ward, from the committee on the internal affairs of towns and counties, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

When the general orders were reached, the President announced the business in order to be on the motion of Mr. Bristol, made on the 4th inst., to restore the enacting clause which had been stricken out in committee of the whole to the bill, entitled "An act to provide for the distribution of standard works of American authors among the libraries of district schools, and to increase the State library."

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Bennett	Cornell	Jones	Ward	
Beekman	Bristol	Davenport			8

FOR THE NEGATIVE.

Babcock	Huntington	Mauroe	Taber	VanSchoonhoven
Clark	McElwain	Snow	Vanderbilt	Williams
Cooley	Morgan			12

The President then put the question whether the Senate would agree to the report of the committee on said bill, and it was decided in the affirmative.

The President then put the question whether the Senate would grant leave to sit again on the following entitled bills: "An act for the relief of the Union Bank of Troy;" "An act to amend an act, entitled 'An act to incorporate the New-York and Montgomery mining company,'" and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to amend 'An act to incorporate the Montgomery county mutual insurance company, passed March 30, 1836.'"

"An act to extend the time for a compliance by the Albany and Susquehanna railroad company, with the 47th section of the general railroad act."

"An act to amend the act, entitled 'An act in relation to the partition of lands, passed April 14, 1852.'"

And after some time spent thereon, Mr. Jones, from said committee, reported progress on said first mentioned bill, and asked for and obtained leave to sit again.

Mr. Jones from said committee reported in favor of the passage of the said second mentioned bill without amendment.

Mr. Jones from said committee, reported in favor of the passage of the said third mentioned bill, with amendments, which reports were agreed to.

A message from the Assembly was received and read, informing that they had ordered the printing of 5 copies of the minority report of the committee on ways and means for each of the members, and 500 copies for said committee; also, 50 copies for each member of the Legislature, of the report of the committee on the internal affairs of towns and counties, on the Maine law; also, 1,000 copies of the report of the Onondaga salt springs, and documents for the use of the superintendent, and 300 for the use of the salt committee; 1,000 copies of the transactions of the State medical society for the Legislature, 1,000 copies for the said society, and 3,000 copies of the address for the use of the Legislature.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to amend an act, entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act, passed May 25, 1836.'"

"An act for the relief of the Union Bank of Troy."

Assembly bill, entitled "An act to apply the provisions of an act, entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the pay-

ment of their debts without preference, passed April 16, 1852, to the Waterloo cotton company, at Waterloo, Seneca county."

And after some time spent thereon, Mr. Munroe, from said committee, reported in favor of the passage of the said first mentioned bill without amendment, which report was agreed to.

Mr. Munroe, from said committee, reported progress on said second mentioned bill, and asked for and obtained leave to sit again.

On motion of Mr. Van Schoonhoven,

The said bill was referred to the committee on the judiciary, with power to report the same complete.

Mr. Munroe, from said committee, reported in favor of the passage of the third mentioned bill, with amendments, which report was agreed to.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following bills:

"An act to amend section 22, of chapter 20, title 1, 1st part, of the Revised Statutes, 4th edition, in relation to superintendents of the poor."

"An act to amend an act, entitled 'An act to make a road district of the village of Elbridge, and concerning the payment of taxes therein, passed April 11, 1851.'"

Ordered, That said bills do have their third reading.

By unanimous consent,

Mr. Clark gave notice that he would, at an early day, ask leave to introduce a bill to repeal chapter 71 of laws of 1852, being "An act to facilitate the collection of debts against corporations."

By unanimous consent,

Mr. Taber gave notice that he would, at an early day, ask leave to introduce a bill repealing such parts of the law of 1852, relating to the Albany and Susquehanna railroad company, as authorizes a pledge of the credit of the city of Albany on its bonds for the use of said company.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to authorise the establishment of the Western State lunatic asylum."

And after some time spent thereon, Mr. Davenport, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Beekman moved to refer said bill to the committee on charitable and religious societies, with power to report the same complete.

Debate was had thereon, when

At a quarter to two o'clock, p. m.

The Senate adjourned until 10½ o'clock to-morrow morning.

TUESDAY, MARCH 8, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The journal of yesterday was read and approved.

Mr. Cooley presented the petition of inhabitants of the town of North Hempstead, in favor of selling the common lands of said town, which was referred to the committee on the internal affairs of towns and counties.

Mr. Cooley presented three several remonstrances of inhabitants of the city of New-York, against the passage of a law to prevent ecclesiastical devises, which was referred to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the petition of the trustees of the village of Binghamton, for a bridge at Binghamton across the Susquehanna river, reported, and asked for and obtained leave to introduce a bill entitled "An act to incorporate the Rockbottom bridge company."

By unanimous consent,

Ordered, That said bill be referred to a select committee to report complete.

The President appointed Messrs. Bristol, Clark and Bennett as such committee.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the bill entitled "An act for the relief of lodge number 61, in the village of Tonawanda, Cattaraugus co.," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to authorise the board of supervisors of the county of Greene, to levy a tax on the town of Catskill."

"An act to amend an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act,' passed May 25, 1836."

"An act to extend the time for a compliance by the Albany and Susquehanna railroad company with the forty-seventh section of the general railroad act."

"An act to amend the act entitled 'An act in relation to the partition of lands.'"

Ordered, That said bills do have their third reading.

Mr. Clark, from the committee on roads and bridges, to which was referred the bill entitled "An act to provide for the election of a road master in the town of Ledyard," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Upham, and by unanimous consent,
The bill entitled "An act relative to the toll gate on the Albion plank road," was referred to a select committee to report complete.

The President appointed as such committee, Messrs. Upham McElwain and Kirby.

On motion of Mr. Bennett, and by unanimous consent,

The bill entitled "An act to authorise the commissioners of highways of the towns of Livingston, Clermont and Germantown, to build a bridge," was referred to a select committee to report complete.

The President appointed as such committee, Messrs. Bennett, Clark and Bristol.

In pursuance of previous notice,

Mr. Clark asked for and obtained leave to introduce a bill entitled "An act to repeal 'An act to facilitate the collection of debts against corporations,' passed March 19, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Taber asked for and obtained leave to introduce a bill entitled "An act to repeal the act to authorise the city of Albany to make a loan to the Albany and Susquehanna railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice,

Mr. Munroe asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorise the formation of railroad corporations and to regulate the same,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Conger gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act in reference to suits commenced against the agents of State prisons."

The Assembly bill entitled "An act in relation to the payment of certain annuities due the Cayuga nation of Indians west of the Mississippi river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Beach	Cornell	McElwain	Otis	Upham
Beekman	Davenport	Morgan	Platt	Vanderbilt
Bennett	Huntington	Munroe	Snow	Ward
Bristol	Kirby	Newcomb	Taber	Williams
Cooley				

21

FOR THE NEGATIVE.

Conger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to incorporate the United States trust company of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babeock	Bristol	Huntington	Munroe	Upham
Beach	Clark	Kirby	Newcomb	Vanderbilt
Beekman	Cooley	McElwain	Otis	Ward
Bennett	Davenport	Morgan	Platt	Williams

20

FOR THE NEGATIVE.

Conger Cornell

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh and to combine the same into one act,' passed May 25, 1836," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babeock	Conger	Kirby	Newcomb	Upham
Bartlett	Cooley	McElwain	Otis	Vanderbilt
Beekman	Davenport	Morgan	Platt	Ward
Bristol	Huntington	Munroe	Taber	Williams
Clark				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend section 22, of chapter 20, title 1, of the first part of the Revised Statutes (fourth edition), in relation to superintendents of the poor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babeock	Huntington	Munroe	Platt	Upham
Bartlett	Kirby	Newcomb	Snow	Vanderbilt
Beekman	McElwain	Otis	Taber	Ward
Conger	Morgan			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the time for a compliance by the Albany and Susquehanna railroad company with the 47th section of the general railroad act," was a read third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Otis	Upham
Bartlett	Conger	McElwain	Platt	Vanderbilt
Beekman	Davenport	Morgan	Snow	Ward
Bennett	Huntington	Newcomb	Taber	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to make a road district of the village of Elbridge, and concerning the payment of taxes thereon,' passed April 11, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Otis	Upham
Bartlett	Davenport	Morgan	Platt	Vanderbilt
Beekman	Huntington	Munroe	Snow	Ward
Bristol	Kirby	Newcomb	Taber	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to apply the provisions of an act entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference, passed April 16, 1852,' to the Waterloo cotton company at Waterloo, Seneca co.," having been read a third time,

Mr. Taber moved said bill be recommitted to the committee on trade and manufactures.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled "An act to authorise the board of supervisors of the county of Greene, to levy a tax on the town of Catskill," having been read a third time, by unanimous consent, the title of said bill was amended, so as to read as follows: "An act to authorise the electors of the town of Catskill, in the county of Greene, to raise money by tax to build a bridge in said town."

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the af-

firmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of all the members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Otis	Vanderbilt
Bartlett	Clark	Kirby	Platt	VanSchoonhoven
Beach	Conger	Morgan	Snow	Ward
Beekman	Cornell	Newcomb	Taber	Williams
Bennett	Davenport			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act in relation to the partition of lands,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Newcomb	Upham
Beach	Clark	Kirby	Otis	Vanderbilt
Beekman	Cooley	McElwain	Platt	Ward
Bennett	Davenport	Morgan	Taber	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Williams, and by unanimous consent,

Resolved, That the bill entitled "An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins," be taken from the committee of the whole and referred to the committee on the incorporation of cities and villages, with power to report complete.

On motion of Mr. Beach, and by unanimous consent,

Resolved, That the act entitled "An act to constitute the village of Moravia a separate road district," be referred to the committee on roads and bridges with power to report complete.

Mr. Taber called for the consideration of concurrent resolutions offered by him on the 7th inst.

Mr. Taber moved to amend, by inserting after the words "pecuniary means to be used," the following: "and have not refunded and will not refund any which may have been used."

By unanimous consent,

Said resolutions were laid on the table and ordered printed.

Mr. Babcock called for the consideration of a resolution offered by Mr. Morgan on the 7th inst.

The hour of 12 o'clock, m. having arrived,

The President announced the special order, being an executive session.

Mr. Cooley moved that the Senate resume legislative business.

Mr. Bennett called for the ayes and noes.

The President put the question whether the Senate would agree

to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Taber	Ward
Beach	Huntington	Munroe	Upham	Williams
Beekman	McElwain	Newcomb	VanSchoonhoven	14

FOR THE NEGATIVE.

Bartlett	Conger	Kirby	Pierce	Snow
Bennett	Cornell	Otis	Smith	Vanderbilt
Bristol	Davenport			12

The President then put the question whether the Senate would agree to the resolution offered Mr. Morgan, and it was decided in the affirmative.

The President appointed as such select committee, Messrs. Morgan, Jones, Van Schoonhoven, Smith, Munroe, Bennett, Cornell, and Ward.

The Senate then resolved itself into a committee of the whole on the following entitled bills :

"An act to amend an act to incorporate the Montgomery county mutual insurance company, passed March 30, 1836."

"An act to facilitate the proof of payment of debts."

And after some time spent thereon, Mr. Conger, from said committee, reported in favor of the passage of the first bill with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The President announced the question to be on agreeing to the said second mentioned bill.

Mr. Platt called for the ayes and noes.

The President then put the question whether the Senate would agree to the report of the committee on the second mentioned bill, and it was decided in the affirmative as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Morgan	Smith	Upham
Bartlett	Cornell	Newcomb	Snow	VanSchoonhoven
Beach	Davenport	Otis	Taber	Ward
Bristol	McElwain			17

FOR THE NEGATIVE.

Beekman	Conger	Huntington	Platt	Williams
Bennett	Cosley	Munroe		8

Ordered, That said bill be engrossed for a third reading.

The President presented the report of the Adjutant General in answer to a resolution of the Senate, passed April 16, 1852.

Ordered, That said report be laid on the table, and printed.

Leave of absence was granted to Mr. Rogers for five days.

Mr. Van Schoonhoven moved that the Senate do now adjourn.

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Van Schoonhoven	Ward	
Bristol	Huntington	Morgan			8

FOR THE NEGATIVE.

Bartlett	Cooley	Munroe	Otis	Upham	
Beach	Davenport	Newcomb	Snow	Williams	
Bennett					11

The hour of a quarter to 2 o'clock having arrived,
The Senate adjourned to 10½ o'clock to-morrow morning.

WEDNESDAY, MARCH 9, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The journal of yesterday was read and approved.

Mr. Cooley presented three several remonstrances of inhabitants of the city of New-York, against the passage of a law to prevent ecclesiastical devises, which was referred to the committee of the whole.

Mr. Upham presented the petition of the trustees of the village of Le Roy, asking for an amendment of the charter of said village, which was referred to the committee on the incorporation of cities and villages.

The president announced the special order, it being the general order.

Mr. Babcock moved that the special order be postponed until after reports of standing committees.

Mr. Cornell moved to amend; by postponing the special order until after motions and resolutions.

The President put the question whether the Senate would agree to the said motion of Mr. Cornell, and it was decided in the negative.

Mr. Bristol moved to amend the said motion, so as to include reports of select committees.

Mr. Babcock accepted the said amendment.

Mr. Cornell moved to lay the whole subject on the table.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beckman	Cooley	Cornell	Davenport	Wright	5
---------	--------	---------	-----------	--------	---

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Otis	Vanderbilt
Bartlett	Conger	Morgan	Platt	Ward

Bennett	Huntington	Munroe	Snow	Williams	
Bristol	Kirby	Newcomb	Upham		19

Mr. Cooley moved to amend the motion of Mr. Babcock, by including only the report of the select committee on canals.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Cornell moved to amend, by postponing until after the seventh order of business.

Mr. Cooley called for the ayes and noes on the motion of Mr. Cornell to amend.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Otis	Upham	
Beach	Cooley	Morgan	Pierce	Vanderbilt	
Beckman	Cornell	Newcomb	Snow	Williams	
Bristol	Davenport				17

FOR THE NEGATIVE.

Babcock	Huntington	Munroe	Platt	Wright	
Clark	McElwain				7

The President then put the question on the original motion of Mr. Babcock as amended, and it was decided in the affirmative.

Mr. Babcock, from the committee on public printing, to which was referred the resolution of the Senate for printing two thousand copies of the annual report of the managers of the New-York State lunatic asylum for the use of the managers, reported in favor of printing 1,500 copies for the use of the managers, and five hundred for the use of the legislature.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the affirmative.

Mr. Babcock, from the committee on public printing, to which was referred the resolution of the Senate for printing four hundred extra copies of the report of the trustees of the State library, reported in favor of the passage of the same, which report was agreed to.

Mr. Conger, from the committee on literature, to which was referred the petition of legal voters of the village of Warsaw, asking a change in the Union School, reported, and asked and obtained leave to introduce a bill entitled "An act to provide for the establishment of Union free schools," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Platt, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the Albany and New-Baltimore ship canal and basin company," re-

ported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of Queens co., for locating and constructing a new court house, reported, and asked and obtained leave to introduce a bill entitled "An act to provide for the location of a court house in Queens county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, reported, and asked and obtained leave to introduce a bill entitled "An act relating to guardians and wards," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred an application of the supervisors of Wyoming county to make the clerk of said county a salaried office, reported, and asked and obtained leave to introduce a bill entitled "An act in relation to the salary of the clerk of Wyoming county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bennett, from the select committee, to which was referred the bill entitled "An act to incorporate the Rockbottom bridge company of the village of Binghamton," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Beekman, from the select committee, to which was referred the bill entitled "An act relating to the Union cemetery in the town of Bushwick, county of Kings," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Upham, from the select committee, to which was referred the bill entitled "An act relative to the toll gate on the Albion plank road," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed, the following entitled bills:

"An act to amend an act to incorporate the Montgomery county mutual insurance company, passed March 30, 1836."

"An act to consolidate road district number eighteen and nineteen, in the town of Ledyard, in the county of Cayuga, and to provide for the election of a path master in said district."

Ordered, That said bills do have their third reading.

Mr. Vanderbilt, from the select committee, on the subject of the canals, to which was referred a resolution to amend section three, of article seven of the constitution of this State, submitted a report in writing, which was read and ordered printed.

Mr. Kirby moved that 500 copies of the report be printed for

the use of the committee, and 10,000 copies for the use of the Senate.

Ordered, That said motion be referred to the committee on public printing.

Mr. Bennett, from the select committee, to which was referred the bill entitled "An act to constitute the village of Moravia a separate road district," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Upham raised the point of order, that said report was not in order, being a report from a standing committee, which order had been passed.

The chairman examined the bill and decided the point of order well taken, and returned the bill to the committee.

Mr. Beekman offered for the consideration of the Senate a resolution in the words following to wit :

Resolved, That ten thousand copies of the report of the select committee on the resolutions to amend the constitution, submitted by the Senator from the second district, be printed without reference to the committee on printing, for the use of Senate.

Debate was had thereon, when

Mr. Beekman withdrew his said resolution.

Mr. Cooley moved to print ten thousand copies of the said report without reference to the committee on public printing.

Mr. Cornell raised the point of order that the said motion of Mr. Cooley was not in order.

The President decided said point of order was not well taken.

Mr. Cornell appealed from the decision of the chair.

Debate was had thereon, when

Mr. Cornell withdrew his appeal.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Williams moved that the report be made a special order for Monday next 12 o'clock m.

Debate was had thereon, when

Mr. Munroe moved to lay the whole subject on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bill :

"An act to facilitate the proof of payment of incumbrances upon real estate."

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of the Union bank of Troy," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Bartlett, from the committee on railroads, to which was re-

ferred the bill entitled "An act to authorise the formation of railroad companies and to regulate the same," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to amend article one, of title two, of chapter three, of part one, of the Revised Statutes, of the custody and government of State prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice,

Mr. Cornell asked for and obtained leave to introduce a bill entitled "An act for the relief of the Addison and Elkland plank road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Clerk presented communications from the clerks of the counties of Chautauque, Hamilton and Seneca, respecting the equalization of assessments.

By unanimous consent,

Mr. Pierce offered for the consideration of the Senate a resolution, in the words following, to wit:

Resolved, That the estimate of expenses of completing the public works, as furnished the select committee on constitutional amendments be printed and placed on the legislative files.

Mr. Vanderbilt moved to amend by striking out all after the word "resolved," and inserting the following, that the State Engineer report to the Senate as soon as possible, his estimate of the cost of completing the Erie canal enlargement, and of the enlargement and completion of the Oswego, and Cayuga and Seneca canal, and of finishing the Genesee Valley and Black river canals.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to amend the articles of association of the Farmers' and Mechanics' bank of Genesee."

"An act to amend the sixteenth chapter of the first part of the Revised Statutes."

"An act to incorporate the widows' and orphans' fund of the Associate Presbyterian church of North America"

And after some time spent thereon, Mr. Beach, from said committee, reported in favor of the passage of said first mentioned bill with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Beach, from said committee, reported progress on said second and third mentioned bills, and asked for and obtained leave to sit again.

At a quarter to two o'clock, p. m., the Senate adjourned to half-past ten o'clock, a. m., to-morrow.

THURSDAY, MARCH 10, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The journal of yesterday was read and approved.

Mr. Cooley presented three several remonstrances of the inhabitants of Queens county, against the passage of a law authorising the removal of the court house in said county, which was referred to the committee of the whole.

Mr. Cooley presented three several remonstrances of sundry inhabitants of the city of New-York, against the passage of a law to prevent ecclesiastical devises, which was referred to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to authorise railroad corporations to construct branch tracks, for freighting and other purposes," reported in favor of the passage thereof without amendment, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the bill, entitled "An act to amend an act, entitled 'An act in relation to railroad corporations,' passed February 13, 1851," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill, entitled "An act to release the interest of the State in certain escheated lands, to Catharine W. Boyd," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill, entitled "An act to confirm the title of Dennis Ford to real estate conveyed to him by John Hart," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act to legalise and confirm a certain conveyance heretofore made by the minister, elders and deacons of the Reformed Dutch church, corner of Greene and Houston streets, in the city of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of Julio Arboleda, to enable him to hold, acquire, convey, and devise real estate, also the bill, entitled "An act to enable Julio Arboleda to acquire, hold, convey and devise real estate," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the Assembly bill, entitled "An act to release to James Knox and William Knox the interest of the State in certain bonds and mortgages," reported in favor of the passage of the same without amendment, which was committed to a committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill, entitled "An act to amend an act, entitled 'An act in relation to the incorporation of the village of Le Roy,' passed April 6, 1852," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to incorporate the Rockbottom bridge company, of the village of Binghamton."

"An act relative to the toll gate on the Albion plank road."

"An act to constitute that part of the town of Moravia, in the county of Cayuga, within the corporate limits of the village of Moravia, a separate road district."

"An act to amend the articles of association of the Farmers' and Mechanics' Bank of Genesee."

"An act for the relief of the Union Bank of Troy."

Ordered, That said bills do have their third reading.

Mr. Morgan from the select committee of eight, reported the following bills as proper to be referred to select committees to report complete, which report was agreed to and said bills referred as follows:

"An act in relation to public schools in the city of Oswego," to Messrs. Platt, Bartlett and Van Schoonhoven."

"An act to authorise the city of Oswego to convey by deed certain lots in the market block in said city," to Messrs. Platt, Bartlett and Van Schoonhoven.

"An act to enable Alexander Seignette, to convey real estate," to Messrs. Vanderbilt, Newcomb and Otis.

"An act to incorporate the Packer Institute," to Messrs. Vanderbilt, Taber and Jones.

"An act to repeal the birth marriage and death registry act," to Messrs. Pierce, Beekman and Babcock.

"An act to amend an act to incorporate the New-York and Montgomery mining company," to Messrs. Beach, Vanderbilt and McMurray.

"An act to authorise the corporation of the Second street Meth-

odist Episcopal church in the city of New-York to hold certain lands for the purpose of a cemetery," Messrs. Newcomb, Conger and Kirby.

"An act to amend the sixteenth chapter, of part first, of the Revised Statutes on highways &c.," to Messrs. Bennett, Conger and McElwain.

"An act confirming the sale of gospel and school lots in the towns of Oswego, Hannibal and Granby in the county of Oswego, and authorising the sale of portions of such lots now remaining unsold," Messrs. Huntington, Platt and Davenport.

"An act to incorporate the New-York corn exchange," to Messrs. Cooley, Babcock and Williams.

"An act authorising a tax upon the taxable inhabitants of the town of Esopus for the payment of a judgment recovered against and cost and expenses incurred by John W. Shultz, late overseer of the poor of the town of Esopus," to Messrs. Pierce, Van Schoonhoven and Davenport.

"An act to enable Thomas Cypriane de Mosquera and Pedro Alcantara Herrau to hold real estate," to Messrs. McMurray, Beach and Munroe.

"An act to incorporate the trustees of the German mission church and congregation of the city of Buffalo," to Messrs. Babcock, Wright and Otis.

"An act to authorise the formation of corporations for ferry purposes," to Messrs. Ward, Bennett and Bristol.

"An act to amend an act to incorporate the Buffalo trust company," to Messrs. Babcock, Kirby and Cornell.

"An act amending the charter of the Watertown and Rome railroad, and extending the time for the final completion of the same," to Messrs. Davenport, Platt and Huntington.

"An act to amend the several acts relating to the powers and duties of the commissioners of emigration," to Messrs. Babcock, Cooley and Barlett.

"An act to amend the charter of the Ulster county savings institution," to Messrs. Beach, Pierce and Conger.

"An act for the relief of Carington McFarlane and James D. McFarlane," to Messrs. Clark, Platt and Snow.

"An act to release the interest of the people of the State of New-York in certain premises in Utica, Oneida county to Jane Eliza Deklyn," to Messrs. Huntington, Barlett and Bennett.

"An act to amend the 'Act to authorise the formation of railroad corporations and to regulate the same,' passed April 2d 1850," to Messrs. Bartlett, Babcock and Bristol.

In pursuance of previous notice,

Mr. Beach asked for and obtained leave to introduce a bill entitled "An act to change the name of the Palmyra Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

The bill, entitled "An act to consolidate road districts 18 and 19, in the town of Ledyard, in the county of Cayuga, and to provide for the election of a path master in said district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Munroe	Snow
Bartlett	Cooley	McElwain	Newcomb	Taber
Beach	Cornell	McMurray	Otis	Williams
Bennett	Davenport	Morgan	Platt	Wright
Clark				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Rockbottom bridge company of the village of Binghamton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	McMurray	Otis	Taber
Beach	Huntington	Morgan	Platt	Williams
Bennett	Kirby	Munroe	Snow	Wright
Bristol	McElwain	Newcomb		

16

FOR THE NEGATIVE.

Conger	Jones			
--------	-------	--	--	--

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend 'An act to incorporate the Montgomery county mutual insurance company, passed March 30, 1836,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Newcomb	Snow
Bennett	Davenport	McMurray	Otis	Taber
Bristol	Huntington	Morgan	Platt	VanSchoonhoven
Clark	Kirby	Munroe		

18

FOR THE NEGATIVE.

Cornell	Jones	Williams	Wright	
---------	-------	----------	--------	--

4

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of the Union Bank of Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Newcomb	Taber
Bartlett	Davenport	McElwain	Otis	VanSchoonhoven
Beach	Huntington	Morgan	Platt	Williams
Bristol	Jones	Munroe	Snow	Wright 20

FOR THE NEGATIVE.

Cornell	McMurray	2
---------	----------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to constitute that part of the town of Moravia, in the county of Cayuga, within the corporate limits of the village of Moravia, a separate road district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	McMurray	Platt
Bartlett	Cooley	Jones	Morgan	Taber
Beach	Cornell	Kirby	Newcomb	VanSchoonhoven
Bristol	Davenport	McElwain	Otis	Williams 20

FOR THE NEGATIVE.

Wright	1
--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the articles of association of the Farmers' and Mechanics' Bank of Genesee," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Newcomb	Vanderbilt
Bartlett	Davenport	McMurray	Otis	Williams
Bristol	Huntington	Morgan	Platt	Wright
Conger	Kirby	Munroe	Taber	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. Van Schoonhoven presented the petition of George M. Tibbets and James Forsyth, praying for canal damages, which was referred to the committee on claims.

Mr. Bristol offered for the consideration of the Senate, a concurrent resolution in the words following, to wit :

Resolved, (If the Assembly concur,) That the Senate and Assembly in pursuance of section one, of article thirteen, of the constitution propose that section three, of article seven, of said constitution be amended by inserting in it after the words "until the said canal shall be completed," "unless a more speedy enlargement, and completion of the canals, in the judgment of the Legislature, will be for the interest of the State, in which case, the Legislature may by law authorise the borrowing of a sum of money not exceeding million of dollars, in such amounts, and for such length of time, not exceeding eighteen years from the date of the loan, as shall be deemed best.

"The money so loaned, shall be applied to the payment of the fifteen hundred thousand dollars canal certificate debt, and to the enlargement, completion and improvement of such of the canals of this State, and in such sums, to each of the said canals, as the Legislature shall direct.

"The debt authorised by this amendment shall be denominated the remainder debt, and the remainder of the canal revenue, in each year, shall be appropriated to the payment of the interest and principal of the same, after paying the interest of the said remainder debt in each year, residue of the said remainder, shall be safely invested, as a sinking fund for its redemption.

"To secure the people of this State, against taxation, in consequence of the more speedy enlargement and completion of the canals of this State, as authorised by this amendment, the tolls, upon the business of the canals as now established, shall not be reduced in the aggregate, without it be so ordered, by an act of the Legislature, passed by a vote of three-fifths of all the members elected to each house thereof, until the said remainder debt, is paid off and discharged, or a fund for that purpose provided as aforesaid sufficient to pay the same, as it becomes due."

The following is a copy of section three, article seven, of the constitution of the State of New-York.

Section 3. After paying the said expenses of superintendence and repairs of the canals, and the sums appropriated by the first and second sections of this article, there shall be paid out of the surplus revenues of the canals, to the Treasury of the State, on or before the thirtieth day of September, in each year, for the use and benefit of the General Fund, such sum not exceeding two hundred thousand dollars, as may be required to defray the necessary expenses of the State; and the remainder of the revenues of the said canals shall, in each fiscal year, be applied, in such manner as the Legislature shall direct, to the completion of the

Erie Canal enlargement, and the Genesee Valley and Black River canals, until the said canals be completed.

If at any time after the period of eight years from the adoption of this Constitution, the revenues of the State, unappropriated by this article, shall not be sufficient to defray the necessary expenses of the government, without continuing or laying a direct tax, the Legislature may, at its discretion, supply the deficiency, in whole or in part, from the surplus revenues of the canals, after complying with the provisions of the first two sections of this article, for paying the interest and extinguishing the principal of the Canal and General Fund debt; but the sum thus appropriated from the surplus revenues of the canals shall not exceed annually three hundred and fifty thousand dollars, including the sum of two hundred thousand dollars, provided for by this section for the expenses of the government, until the General Fund debt shall be extinguished, or until the Erie Canal Enlargement and Genesee Valley and Black River Canals shall be completed, and after that debt shall be paid, or the said canals shall be completed, then the sum of six hundred and seventy-two thousand five hundred dollars, or so much thereof as shall be necessary, may be annually appropriated to defray the expenses of the government.

Mr. Wright moved that 10,000 extra copies of the resolutions be printed.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McMurray	Upham	Ward	
Bristol	Huntington	Morgan	Vanderbilt	Williams	
Clark	Kirby	Newcomb	VanSchoonhoven	Wright	
Conger	McElwain	Otis			18

FOR THE NEGATIVE.

Babcock	Cornell	Jones	Platt	Taber	
Beach	Davenport				7

Mr. Bristol moved that the resolutions, when printed, be attached to the report of the select committee on the proposed amendments to the constitution.

Debate was had thereon, when

Mr. Bristol withdrew his said motion.

Mr. Cornell renewed the said motion, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	McMurray	Newcomb	
Bennett	Cornell	Kirby	Munroe	Wright	
Clark	Davenport				12

FOR THE NEGATIVE.

Babcock	Huntington	Otis	Taber	Ward
Beach	McElwain	Platt	Upham	Williams
Cooley	Morgan	Snow	Vanderbilt	14

The Senate then resolved itself into a committee of the whole on the following entitled bills :

"An act amendatory to an act, entitled 'An act for the enrolment of the militia, to abolish militia fines in certain cases, and to exempt members of uniformed companies from working on highways, and serving on juries, passed April 16, 1851,' passed April 10, 1852."

"An act to incorporate the widows' and orphans' fund of the Associate Presbyterian church of North America."

"An act to authorise the minister, elders and deacons of the Reformed Dutch church on the corner of Greene and Houston streets in the city of New-York, to change their name."

And after some time spent thereon, Mr. Upham, from said committee, reported in favor of the passage of said bills without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills :

"An act for the relief of Levi Hurlbut and Charles Vroman."

"An act to enable the Newburgh and Ellenville plank road co. to abandon some parts of their road, and to issue a preferred stock."

And after some time spent thereon, Mr. Williams, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bill, to wit :

"An act to amend an act relating to the New-York and Harlem railroad co., passed May 7, 1840, and the acts amending the same."

The Senate then resolved itself into a committee of the whole on the following entitled bill :

"An act to repair the locks on the Champlain canal."

And after some time spent thereon, Mr. McElwain, from said committee, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bill :

"An act to amend an act, entitled 'An act for the preservation of public health.'"

And after some time spent thereon, Mr. Snow, from said committee, reported progress, and asked for and obtained leave to sit again.

The hour of a quarter to 2 p. m. having arrived,

The Senate adjourned until 10½ o'clock to-morrow morning.

FRIDAY, MARCH 11, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The journal of yesterday was read and approved.

Mr. Taber presented the petition of 1,222 catholic citizens of Albany, for a law vesting in the catholic bishops of this State and their successors, the right to hold church property in trust, which was referred to the committee of the whole.

Mr. Babcock presented the petition of tax payers of the city of Buffalo, in favor of a law authorising the city of Buffalo to aid in the constructing of the Buffalo and Pittsburgh railroad, which was referred to the committee on the incorporation of cities and villages.

Mr. Taber presented the petition of citizens of this State, for a repeal of the third section of an act to abolish distress for rent and for other purposes, passed May 15, 1846, which was referred to the committee on the judiciary.

Mr. Bartlett presented the remonstrance of citizens of Delaware co., against the consolidation of railroads, which was laid upon the table.

Mr. Snow presented the petition of inhabitants of Sprakers Basin, praying for a law authorising the Canal Commissioners to build a foot bridge across the Erie canal at Sprakers Basin, which was referred to the committee on canals.

Mr. Beach presented two petitions of inhabitants of Arcadia and Newark, to unite the same in one corporation, which were referred to the committee on the incorporation of cities and villages.

Mr. Cooley presented two remonstrances of inhabitants of the city of New-York, against the passage of a law preventing ecclesiastical devises, which was referred to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the petition of the president, directors and first company of the Northern turnpike road to abandon a part of their road, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of the president, directors and first company of the Northern turnpike road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to enlarge the basis of circulating notes for banking purposes," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to authorise stockholders of

railroad companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act for the supply of the city of Brooklyn with water," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to change the name of the Palmyra bank," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Otis, from the committee on trade and manufactures, to which was recommitted the bill entitled "An act to apply the provisions of an act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference, passed April 16, 1852, to the Waterloo cotton company at Waterloo, Seneca county," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act to incorporate the trustees of the German mission church and congregation of the city of Buffalo," with power to report complete, so reported, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Buffalo trust company,' passed April 16, 1852," with power to report complete, so reported; which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Pierce, from the select committee, to which was referred the bill entitled "An act for the repeal of an act entitled 'An act providing for the registry of births, marriages and deaths,' passed April 28, 1847," with power to report complete, so reported; which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Ward, from the select committee, to which was referred the bill entitled "An act to authorise the formation of corporations for ferry purposes," with power to report complete, so reported; which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bartlett, from the select committee, to which was referred the bill entitled "An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for

the regulation of the Marine hospital," with power to report complete, so reported.

The President announced the question to be on agreeing to the report.

Mr. Wright moved to lay said question on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Bennett, from the select committee, to which was referred the bill entitled "An act to amend the sixteenth chapter, first part of the Revised Statutes," with power to report complete, so reported; which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Bartlett, from the select committee, to which was referred the bill entitled "An act to amend the act to authorise the formation of railroad corporations and to regulate the same, passed April 2, 1850," with power to report the same complete, so reported the same with amendments, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. McMurray, from the select committee, to which was referred the bill entitled "An act to enable Thomas Cypriane De Mosquera and Pedro Alcantara Herrau to hold real estate," with power to report complete, so reported; which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Clark, from the select committee, to which was referred the bill entitled "An act to enable Carrington Macfarlane, and James Duncan Macfarlane, infant aliens, to hold real estate," with power to report complete, so reported; which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Platt, from the select committee, to which was referred the bill entitled "An act to authorise the city of Oswego to convey by deed certain lots in the market block in said city," with power to report the same complete, so reported; which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Davenport, from the select committee to which was referred the bill, entitled "An act to amend the charter of the Watertown and Rome railroad company, and to extend the time for the final completion of said road," with power to report complete, so reported, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Platt, from the select committee to which was referred the bill, entitled "An act confirming the sale of gospel and school lots in the towns of Oswego, Hannibal and Granby, in the county of Oswego, and authorising the sale of parts of such lots now remaining unsold in said town," with power to report the same complete, so reported, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Platt, from the select committee to which was referred the

bill entitled "An act in relation to public schools in the city of Oswego," with power to report the same complete, so reported, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Pierce, from the select committee to which was referred the Assembly bill, entitled "An act authorising a tax upon the taxable inhabitants of the town of Esopus, for the payment of a judgment recovered against, and costs and expenses incurred by John W. Shultz, late overseer of the poor of the town of Esopus," with power to report the same complete, so reported, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent,

Mr. Jones gave notice that he would, at an early day, ask leave to introduce a bill to provide for a mode of proceeding by which turnpike road companies may abandon their roads.

By unanimous consent,

Mr. Wright, from the committee on privileges and elections, to which was referred the bill, entitled "An act to amend an act, (so far as the same applies to the city of New-York,) entitled 'An act respecting elections other than for militia and town officers,' passed April 5, 1842," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

By unanimous consent,

Mr. Pierce offered for the consideration of the Senate a resolution, in the words following, to wit:

Resolved, That the bill to prevent devises to ecclesiastical officers from vesting in their successors, be recommitted to the committee on the judiciary.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to repeal chap. 175 of the Laws of 1849, and to provide for the settlement of damages consequent thereon."

"An act to amend an act, entitled 'An act for the preservation of the public health.'"

And after some time spent thereon, Mr. Vanderbilt, from said committee, reported progress, and asked for and obtained leave to sit again.

The hour of a quarter to 2 p. m. having arrived,

The Senate adjourned until 10½ o'clock to-morrow morning.

SATURDAY, MARCH 12, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The journal of yesterday was read and approved.

Mr. Cooley presented the remonstrance of ten thousand citizens of New-York, against the act to prevent grants and devises to ecclesiastical officers from vesting in their successors, which was referred to the committee on the judiciary.

Mr. Jones presented a petition for the repeal of the charter of the Newburgh and Plattekill turnpike company, which was referred to the committee on roads and bridges.

Mr. Kirby presented eleven several remonstrances of citizens of the State of New-York, against the passage of a law to prevent ecclesiastical devises, which were referred to the committee on the judiciary.

Mr. Cooley presented the remonstrance of inhabitants of Richmond county against repealing the road laws of said county, which was referred to the committee of the whole.

Mr. Cooley, from the committee on banks and insurance companies, reported; and asked and obtained leave to introduce a bill entitled "An act to incorporate the Brockport savings bank," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, reported, and asked and obtained leave to introduce a bill entitled "An act concerning the mayor of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Kirby, from the committee on militia and public defence, to which was referred the petition of officers of the first regiment New-York volunteers for reorganization of that regiment as an independent battalion, reported, and asked and obtained leave to introduce a bill entitled "An act to reorganize the first regiment of New-York volunteers and other soldiers engaged in the late war of Mexico, into an independent battalion for ten years," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Upham, from the select committee, to which was referred the bill entitled "An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds, and to enlarge the powers of the corporation of said village," with power to report complete, so reported, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Huntington, from the select committee, to which was referred the bill entitled "An act to release the interest of the people of the State of New-York to certain premises in Utica, Oneida county, to Jane Eliza De Klyn," with power to report complete, so reported; which report was agreed to, and said bill ordered engrossed for a third reading

On motion of Mr. Beach, and by unanimous consent,

The bill entitled "An act to change the name of the Palmyra bank," was ordered engrossed for a third reading.

The President presented a report of the Auditor, in answer to a resolution of the Senate, calling for the reasons why certain claims paid from the treasury was not charged to the Canal Debt Sinking Fund.

Ordered, That said report be referred to the committee on finance, and printed.

Mr. Morgan from the select committee of eight, reported the following bills as proper to be referred to select committees to report complete; which report was agreed to and said bills referred as follows:

"An act in relation to common schools in the city of New-York," to Messrs. Morgan, Conger and Cornell.

"An act to simplify the manner of collecting arrears of taxes, assessments and regular rents of Croton water, in the city and county of New-York," to Messrs. McMurray, Jones and Cooley.

"An act for the incorporation of library companies," to Messrs. Beekman, Bristol and Bartlett.

"An act in relation to highways in the county of Richmond," to Messrs. Cooley, Clark and Bennett.

"An act to authorise the formation of county teachers' associations," to Messrs. Conger, Munroe and Pierce.

"An act further to amend the charter of the village of Albion," to Messrs. Upham, Davenport and Kirby.

"An act in relation to the glebe lands in the village of Newburgh, Orange county," to Messrs. Jones, Pierce and Babcock.

"An act in relation to the peoples' bathing and washing association, incorporated April 11, 1849," to Messrs. Beekman, Jones and Wright.

"An act to change the name of the village of Milesquare, in the county of Westchester," to Messrs. Conger, Newcomb and Morgan.

"An act to authorise the Fredonia and Sinclairville plank road company, to borrow money," to Messrs. Ward, McElwain and Snow.

"An act in relation to the Newburgh and Shawangunk plank road company," to Messrs. Jones, Van Schoonhoven and Bennett.

"An act for the recovery of village taxes and assessments," to Messrs. Beekman, Ward and Vanderbilt.

"An act to amend an act entitled 'An act in relation to streets and parks in the city of Brooklyn' passed April 14, 1852," to Messrs. Vanderbilt, Upham and Williams.

"An act to enlarge the powers of the common council of the city of Troy, as to streets, highways, lanes or alleys in the said city," to Messrs. Van Schoonhoven, Morgan and Bartlett.

"An act to amend an act entitled 'An act to incorporate the Pacific mail steamship company,'" to Messrs. Morgan, Cornell and McMurray.

"An act relating to the deaf and dumb," to Messrs. McMurray, Babcock and Bristol.

"An act for the relief of owners of real estate in the city of New-York," Messrs. Beekman, Morgan and Conger.

"An act to enable Julio Arboleda to acquire, hold, convey and devise real estate," to Messrs. Morgan, Vanderbilt and Taber.

"An act to incorporate the Albany and New Baltimore ship canal and basin company," to Messrs. Taber, Van Schoonhoven and Jones.

"An act to amend an act entitled 'An act authorising the incorporation of rural cemetery associations,'" to Messrs. Platt, Vanderbilt and Cooley.

Mr. Vanderbilt, from the select committee to which was referred the bill, entitled "An act to incorporate the Packer collegiate institute;" also, the bill, entitled "An act to enable Alexander Seignette to convey real estate," with power to report the same complete, so reported, which report was agreed to, and said bills ordered engrossed for a third reading.

By unanimous consent,

In pursuance of previous notice,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act in relation to turnpike and plank road corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The clerk presented a communication from the clerk of the county of Jefferson, in answer to a resolution of the Senate respecting equalization of assessments, which was referred to the committee of the whole.

A message from the Assembly was received and read, informing that they had ordered the printing of five hundred copies of the report of the canal committee, for the use of said committee, and ten copies for each member of the Legislature; also, six copies for each member, of the report of the commissioners to examine the hospitals of the city of New-York.

Mr. Babcock gave notice that he would at an early day, ask leave to introduce a bill authorizing the city of Buffalo to lend its credit or subscribe to the stock of the Buffalo and Pittsburgh railroad company.

The bill entitled "An act relative to the toll gate on the Albion plank road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affir-

mative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	Morgan	Platt	VanSchoonhoven
Bartlett	Jones	Munroe	Upham	Ward
Beach	Kirby	Otis	Vanderbilt	Williams
Bristol	McMurray			

17

FOR THE NEGATIVE.

Snow	Wright	2
------	--------	---

Mr. Wright moved to reconsider the question on the final passage of said bill.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the formation of companies for ferry purposes," was read a third time.

Mr. Cooley moved to recommit said bill to the committee of the whole.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act relating to the Union cemetery in the town of Bushwick in the county of Kings."

"An act to amend 'An act to incorporate the New-York and Montgomery mining company.'"

"An act confirming the sale of gospel and school lots in the towns of Oswego, Hannibal and Granby in the county of Oswego, and authorising the sale of parts of such lots now remaining unsold in said town."

"An act for the repeal of 'An act providing for the registry of births, marriages and deaths,' passed April 28, 1847."

"An act to amend the sixteenth chapter, of the first part, of the Revised Statutes."

"An act to enable the Newburgh and Ellenville plank road company to abandon some parts of their road, and to issue a preferred stock."

"An act to incorporate the trustees of the German mission church and congregation, of the city of Buffalo."

"An act to authorise the minister, elders and deacons of the Reformed Dutch church on the corner of Greene and Houston streets, in the city of New-York, to change their name."

"An act to regulate the construction of roads and streets across railroad tracks."

Ordered, That said bills do have their third reading.

"An act to enable Thomas Cypriane de Mosquera and Pedro Alcantara Herrau to hold real estate."

"An act to amend 'An act to incorporate the Buffalo trust company,' passed April 16, 1852."

"An act to provide for the repair of the locks on the Champlain canal."

"An act to authorise the city of Oswego to convey by deed, certain lots in the market block in said city."

"An act to enable Carrington McFarlane and James Duncan McFarlane, infant aliens, to take and hold real estate."

By unanimous consent,

Mr. Clark asked for and obtained leave to introduce a bill entitled "An act repealing the charter of the Newburgh and Plattekill turnpike company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Pierce, from the minority of the select committee, to which was referred the subject of constitutional amendments, reported in writing.

Mr. McMurray moved that 10,000 copies of said report be printed.

Mr. Babcock moved to amend by inserting 3,000.

Debate was had thereon, when

Mr. Babcock withdrew his said motion.

Mr. Conger moved to amend by printing 60 copies for each member of the Legislature and State officers.

Debate was had thereon, when

Mr. Conger withdrew his said motion.

The President put the question whether the Senate would agree to the said motion of Mr. McMurray, and it was decided in the affirmative.

The bill entitled "An act to amend an act to incorporate the New-York and Montgomery mining company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Huntington	Morgan	Snow	Ward
Bristol	Kirby	Newcomb	Upham	Williams
Clark	McElwain	Otis	Vanderbilt	Wright
Cooley	McMurray	Pierce		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to regulate the construction of roads and streets across railroad tracks," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Newcomb	Snow
Beach	Cooley	McElwain	Otis	Upham
Bristol	Davenport	McMurray	Pierce	Ward
Clark	Huntington	Morgan	Platt	

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Watertown and Rome railroad company, and to extend the time for the final completion of the same," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McMurray	Pierce	Vanderbilt
Bartlett	Davenport	Morgan	Platt	Ward
Bristol	Huntington	Newcomb	Snow	Williams
Clark	Kirby	Otis	Upham	Wright
Conger	McElwain			

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A bill was received from the Assembly for concurrence, entitled "An act authorising the town of West Farms, in the county of Westchester, to appoint a collector of taxes, and to extend the time for the collection thereof," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McMurray	Pierce	VanSchoonhoven
Beach	Davenport	Morgan	Platt	Ward
Bristol	Jones	Munroe	Snow	Williams
Clark	Kirby	Newcomb	Upham	Wright
Conger	McElwain	Otis		

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills :

"An act amendatory to an act, entitled 'An act for the enrolment of the militia, to abolish militia fines in certain cases, and to exempt members of uniformed companies from working on highways, and serving on juries, passed April 16, 1851,' passed April 10, 1852."

"An act for the relief of Levi Huntbust and Charles Vroman."

A bill was received from the Assembly for concurrence, entitled "An act to provide means to pay State debts, to support the government, and to carry out the public works by taxes and by tolls on railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill:

"An act to amend an act, entitled 'An act to revise, amend and consolidate the several acts in relation to the village of Salem,' passed April 16, 1851."

Ordered, That the clerk deliver said bill to the Governor.

The bill, entitled "An act to amend an act to incorporate the Buffalo trust company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Davenport	McMurray	Platt	Ward
Clark	Huntington	Newcomb	Snow	Williams
Conger	Kirby	Otis	Upham	Wright
Cooley	McElwain	Pierce		

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The hour of a quarter to 2 o'clock having arrived,

The Senate adjourned to 10½ o'clock Monday morning.

MONDAY, MARCH 14, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Reed.

The journal of Saturday was read and approved.

Mr. Conger presented two petitions of citizens of Westchester co., for the repeal of the third section, of chapter 478, of the laws of 1851, concerning the planting and taking of oysters in the Harlem river, which was referred to the committee on commerce and navigation.

Mr. Wright presented the petition of sundry citizens of Essex co., for a law to prohibit the sale of intoxicating drinks, which was referred to the committee of the whole.

Mr. Rogers presented the petition of citizens of Essex co., on the same subject, which was referred to the committee of the whole.

Mr. Beckman presented the petition of John F. Rodman and associates, for a ferry charter from New-York to Fort Hamilton, which was referred to the committee on commerce and navigation.

Mr. Jones, from the committee on claims, to which was referred the petition of Charles Hawley, for canal damages, reported, and asked and obtained leave to introduce a bill entitled "An act for the appraisement of canal damages to Charles Hawley, not exceeding the sum of 65 dollars," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act amending the act entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor, in the counties of Westchester, Putnam, Dutchess, Rensselaer, Rockland, Chemung and the town of Newburgh, in the county of Orange,' passed April 16, 1852," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the Revised Statutes, in relation to the trial of persons accused of minor offences in the town of Waterford," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Ward, from the select committee, to which was referred the Assembly bill entitled "An act to authorize the Fredonia and Sinclairville plank road company to borrow money," with power to report complete so reported.

Ordered, That said bill do have its third reading.

Mr. Upham, from the select committee, to which was referred the bill entitled "An act further to amend the charter of the village of Albion," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Jones, from the select committee, to which was referred the bill entitled "An act in relation to the Newburgh and Shawangunk plank road company," with power to report complete so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Jones, from the select committee, to which was referred the bill entitled "An act in relation to the Glebe lands in the village of Newburgh, Orange county," with power to report complete so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Beckman, from the select committee to which was referred the bill entitled "An act for the relief of the owners of real estate in the city of New-York," with power to report complete so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Beekman, from the select committee, to which was referred the bill entitled "An act for the incorporation of library companies," with power to report complete, so reported, and said bill ordered engrossed for a third reading.

Mr. Morgan, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Pacific mail steamship company,' passed April 19, 1848," with power to report complete, so reported, and said bill ordered engrossed for a third reading.

Mr. Conger, from the select committee, to which was referred the bill entitled "An act to change the name of the village of Milesquare, in the county of Westchester," with power to report complete, so reported, and said bill ordered engrossed for a third reading.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed, the following entitled bills:

"An act to incorporate the Packer collegiate institute."

"An act in relation to public schools in the city of Oswego."

Ordered, That said bills do have their third reading.

Mr. Beekman moved to take from the table the report of the select committee on the bill entitled "An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine hospital."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on agreeing to the report of the select committee.

Debate was had thereon, when

Mr. Wright moved an amendment and substitute for the same.

Debate was had thereon, when

Mr. Beekman asked and obtained unanimous consent to present and have read a petition and statement of F. Campbell Stewart, late physician in chief of the Marine hospital at the Quarantine.

Debate was had thereon, when

Mr. Wright moved to lay the whole subject on the table, and that the bill offered by him be printed.

Mr. Otis called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Clark	McElwain	Rogers	Williams	Wright
Kirby				

6

FOR THE NEGATIVE.

Babcock	Conger	Huntington	Newcomb	Snow
Bartlett	Cooley	Jones	Otis	Ward
Beekman	Davenport	Munroe	Platt	

14

The President announced the question to be on the amendment or substitute offered by Mr. Wright.

Debate was had thereon, when

Mr. Taber moved that the said substitute and report of the select committee be committed to the committee of the whole.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	Newcomb	Taber	Van Schoonhoven
Clark	Huntington	Platt	Upham	Williams
Cooley	McElwain	Rogers	Vanderbilt	Wright 19

FOR THE NEGATIVE.

Bartlett	Bristol	Jones	Otis	Ward
Beekman	Conger	Kirby	Snow	8

Mr. Bartlett moved that the said bill be made a special order for four o'clock, p. m. to-day

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Jones	Newcomb	Snow
Bartlett	Davenport	Kirby	Otis	Vanderbilt
Beekman	Huntington	Morgan	Platt	Ward
Bristol				15

FOR THE NEGATIVE.

Clark	Rogers	Van Schoonhoven	Williams	Wright
McElwain	Upham			7

Mr. Platt, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act authorising the incorporation of rural cemetery associations,' passed April 27, 1847," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Cooley, from the select committee, to which was referred the bill entitled "An act to incorporate the New-York corn exchange," with power to report the same complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Otis, from the select committee, to which was referred the bill entitled "An act to authorise the commissioners of highways of the towns of Livingston, Clermont and Germantown, in the county of Columbia, to build a bridge over the Roeliff Johnson Kill creek in said town of Livingston, and to provide for the expense thereof, with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Beekman, from the select committee, to which was referred the bill entitled "An act in relation to the Peoples' bathing and washing association, incorporated April 11, 1849," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Conger, from the select committee, to which was referred the bill entitled "An act to authorize the formation of county teachers' associations," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following bill:

"An act for the relief of owners of real estate in the city of New-York."

Ordered, That said bill do have its third reading.

A message from the Assembly was received and read informing that they have this day ordered the printing of fifty copies for each member, of the statistical list of the members and officers of the House.

The President presented the annual report of the trustees of the New-York dispensary, which was referred to the committee on medical societies and colleges.

Also, a communication and report of the Secretary of State, in reply to a resolution of the Senate passed at its last session, in relation to clerical force in his office, which was laid on the table and ordered printed.

Also, the annual report of the governors of the New-York hospital, which was referred to the committee on charitable and religious societies.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled Bill:

"An act to consolidate road districts eighteen and nineteen, in the town of Ledyard, in the county of Cayuga, and to provide for the election of a path master in said district."

Ordered, That the Clerk deliver said bill to the Governor.

In pursuance of previous notice,

Mr. Williams asked for and obtained leave to introduce a bill entitled "An act in relation to the Cayuga and Seneca canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice,

Mr. Williams asked for and obtained leave to introduce a bill entitled "An act to incorporate the Ithaca water works company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Williams gave notice that he would, at an early day, ask leave to introduce a bill to amend the laws relative to insurance companies.

Mr. Jones gave notice that he would, at some future day, ask leave to introduce a bill in relation to disputed wills.

Mr. Cooley gave notice that he would, at a future day, ask leave to introduce a bill in relation to the interest of money.

Mr. Conger gave notice that he would, at an early day, ask

leave to introduce a bill entitled "An act amending chapter 478, of the Laws of 1851, entitled 'An act to regulate the planting and taking of oysters in the Harlem river.'"

Mr. Conger gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to amend chapter 360, of the Laws of 1849 relative to libraries of the court of Appeals."

Mr. Babcock gave notice that he would, at an early day, ask leave to introduce a bill to amend the act in relation to the recorder's court of the city of Buffalo, passed April 1, 1850.

On motion of Mr. Upham, and by unanimous consent,

Resolved, That the Assembly bill relating to canal tolls on railroads and for other purposes, be printed and placed upon the files of Senators.

By unanimous consent,

Mr. Wright offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That one thousand extra copies of the report of the Inspectors of State prisons, with the accompanying documents, be printed for the use of the said Inspectors.

Ordered, That said resolution be referred to the committee on public printing.

The bill, entitled "An act to incorporate the Packer collegiate institute," was read a third time.

Mr. Cooley moved to recommit the same.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Otis	Vanderbilt
Bartlett	Davenport	Morgan	Platt	Ward
Beckman	Huntington	Manroe	Taber	Williams
Bristol	Jones	Newcomb	Upham	Wright
Clark				

FOR THE NEGATIVE.

Snow

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

At a quarter before 2 o'clock p. m.,

The Senate took a recess until 4 o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

Mr Cooley moved a call of the roll,

Whereupon the following Senators answered to their names :

Babcock	Clark	Huntington	Munroe	Vanderbilt
Bartlett	Conger	Jones	Otis	Ward
Beekman	Cooley	Morgan		

Mr. Huntington moved to adjourn.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Cooley	Huntington	Morgan	Vanderbilt	4
--------	------------	--------	------------	---

FOR THE NEGATIVE.

Babcock	Beekman	Conger	Munroe	Otis	8
Bartlett	Clark	Jones			

Mr. Jones moved a call of the Senate.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The clerk then proceeded to call the roll, and the following Senators answered to their names :

Babcock	Clark	Huntington	Munroe	Vanderbilt	
Bartlett	Conger	Jones	Newcomb	Ward	
Beekman	Cooley	Morgan	Otis	Williams	15

Mr. Jones then moved that the further call be suspended.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Cooley moved that the Senate do now adjourn.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Clark	Cooley	Huntington	Morgan	Newcomb	5
-------	--------	------------	--------	---------	---

FOR THE NEGATIVE.

Babcock	Conger	Otis	Taber	Ward	
Bartlett	Jones	Snow	Vanderbilt	Williams	
Beekman	Munroe				12

The President announced the special order to be the consideration of the bill entitled "An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine hospital."

The Senate then resolved itself into a committee of the whole on said bill :

And after some time spent thereon, Mr. Monroe, from said committee, reported progress, and asked for and obtained leave to it again.

Mr. Babcock moved that said bill be made the special order for 11½ o'clock, a. m. to-morrow.

Mr. Williams moved to amend so as to make it a special order for 4 o'clock, p. m., instead of 11½ a. m.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

At 6 o'clock p. m.

The Senate adjourned to 10½ o'clock to-morrow morning.

TUESDAY, MARCH 15, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Salsbury.

The journal of yesterday was read and approved.

Mr. Beekman presented the memorial of George Griswold and others, in relation to fees in the matter of an assessment for the pretended opening of Fourth avenue in the city of New-York &c., and for a law against such abuses, which was referred to a select committee.

Mr. Cooley presented the remonstrance of citizens of Queens co., against the passage of a law authorising the removal of the court house in that county, which was referred to the committee of the whole.

Mr. Cornell presented two remonstrances of citizens of Corning, Steuben co., against any amendment of their village charter in relation to excise, which was referred to the committee on the incorporation of cities and villages.

Mr. Otis presented the petition of citizens of Valatie, Columbia co., for a law against the manufacture and sale of intoxicating liquors to be used as a beverage, which was referred to the committee of the whole.

Mr. Jones from the committee on claims, to which was referred the petition of George M. Tibbits and James Forsyth, for canal damages reported, and asked and obtained leave to introduce a bill entitled "An act authorising the Canal Board to hear the claim of George M. Tibbits and James Forsyth," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Bristol, from the committee on Indian affairs, to which was referred the memorial of chiefs of the Cayuga nation of Indians, reported, and asked and obtained leave to introduce a bill entitled "An act in relation to the Cayuga nation of Indians," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Van Schoonhoven, from the select committee to which was referred the bill entitled "An act to authorise the common council of the city of Troy to close up and discontinue a portion of Sixth street and to lay out and open a new street in said city," with power to report complete so reported.

Ordered, That said bill be engrossed for a third reading.

The Clerk preterted communications from the clerks of Erie and Wayne counties, respecting equalization of assessments, which were referred to the committee of the whole.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to amend an act entitled 'An act to revise, amend and consolidate the several acts in relation to the village of Salem,' passed April 6, 1851."

"An act to consolidate road districts eighteen and nineteen, in the town of Ledyard, in the county of Cayuga, and to provide for the election of a path master in the said districts."

Mr. Wright gave notice that he would, at an early day, ask leave to introduce a bill incorporating the roman catholic bishops of the State of New-York.

In pursuance of previous notice,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act in relation to disputed wills," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act for the relief of owners of real estate in the city of New-York," having been read a third time,

Mr. Babcock moved to recommit the same for amendment.

On motion of Mr. Beekman, and by unanimous consent,

Said bill was then amended as follows, to be added to the second section after the word "estate," "provided such suit be commenced within six months after the date of the confirmation of such assessment."

Mr. Babcock withdrew his said motion to recommit.

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock
Beekman

Cornell
Davapor:

McElwain
Sergea

Platt
Rogers

Vanderbilt
VanSchoonhoven

Bristol
Clark
Cooley

Huntington
Jones
Kirby

Munroe
Newcomb
Otis

Smith
Taber

Ward
Wright

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. Morgan, from the select committee, to which was referred the bill entitled "An act relative to common schools in the city of New-York," with power to report complete, so reported; which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

The bill entitled "An act relating to the Union cemetery in the town of Bushwick in the county of Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett
Beckman
Bristol
Clark

Huntington
Jones
Kirby
McElwain

Newcomb
Otis
Platt

Rogers
Smith
Snow

Vanderbilt
Ward
Williams

37

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the trustees of the German mission church and congregation, of the city of Buffalo," was read a third time.

Mr. Babcock moved to re-commit the same.

Debate was had thereon, when

The President, at 11½ a. m., announced the special order, being the emigrant bill.

Mr. Babcock moved to postpone said special order, until the bill now before the Senate be disposed of.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Further debate was had thereon, when,

At 12 o'clock, m.,

The President announced the special order to be an Executive session.

Mr. Cooley moved that the Senate resume Legislative business.

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock
Beckman
Clark

Cooley
McElwain
Morgan

Munroe
Newcomb
Platt

Taber
Upham
VanSchoonhoven

Williams
Wright

14

FOR THE NEGATIVE.

Bartlett	Cornell	Kirby	Pierce	Smith
Bristol	Davenport	Otis	Rogers	Vanderbilt
Conger	Jones			

12

The President announced the question to be on the motion to recommit the bill under consideration when the Executive session was announced.

Further debate was had thereon, when,

Mr. Babcock withdrew his said motion to recommit.

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Otis	Upham
Bartlett	Cooley	Morgan	Platt	Ward
Beckman	Huntington	Manroe	Snow	Williams
Bristol	Jones	Newcomb	Taber	Wright
Clark				

21

FOR THE NEGATIVE.

Cornell	Pierce	VanSchoonhoven
---------	--------	----------------

3

Ordered, That the Clerk¹ deliver said bill to the Assembly, and request their concurrence therein.

The President announced the special order to be the consideration of the emigrant bill.

Mr. Wright asked and obtained unanimous consent for the postponement of the special order until the 3d reading of the bill entitled "An act to incorporate the widows' and orphans' fund of the Associate Presbyterian church of North America."

The said bill was then read a third time, when,

Mr. Pierce moved to recommit the said bill to the committee on the judiciary, with instructions to report a general bill.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Cornell	Pierce	VanSchoonhoven
---------	--------	----------------

3

FOR THE NEGATIVE.

Babcock	Cooley	Morgan	Smith	Vanderbilt
Bartlett	Huntington	Newcomb	Snow	Ward
Beckman	Jones	Otis	Taber	Williams
Bristol	Kirby	Platt	Upham	Wright
Clark	McElwain	Rogers		

23

Mr. Cornell moved to recommit with instructions to strike out the preamble in said bill.

Debate was had thereon, when
Mr. Morgan called for the ayes and noes.
At a quarter to two o'clock, p. m.
The Senate took a recess.

AT FOUR O'CLOCK, P. M.

The Senate again met.

The President announced the question to be on Mr. Pierce's motion, to recommit the bill, entitled "An act to incorporate the widows' and orphans' fund of the Associate Presbyterian church of North America," to the committee on the judiciary, with instructions to strike out the preamble.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babeock	Davenport	McElwain	Otis	Taber
Bartlett	Huntington	Morgan	Platt	Upham
Bristol	Jones	Munroe	Smith	Ward
Clark	Kirby	Newcomb	Snow	Wright
Cooley				

21

FOR THE NEGATIVE.

Cornell

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Upham, and by unanimous consent,

Resolved, That the report of the select committee on the resolutions of Senator Vanderbilt, in relation to the completion of the canals, be made a special order for Thursday next, immediately after the reports of standing committees.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the marine hospital."

And after some time spent thereon, Mr. Munroe, from said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the town of South Hempstead to sell a part of their common lands, and for other purposes," which was read the first time, and by unanimous consent was also read the second

time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the official acts of Joseph P. Richardson, a justice of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the clerk of the county of Madison to remove the records and papers of the county to the grand jury room, or some other suitable place," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to provide for draining Fort swamp, in the town of Shelby, Orleans county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

The bill, entitled "An act confirming the sale of gospel and school lots in the towns of Oswego, Hannibal and Granby, in the county of Oswego, and authorising the sale of parts of such lots now remaining unsold in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Otis	Taber
Bartlett	Davenport	Morgan	Platt	Ward
Clark	Huntington	Munroe	Smith	Williams
Conger	Jones	Newcomb	Snow	Wright
Cosley				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

At 6 o'clock, p. m.

The Senate adjourned until 10½ o'clock to-morrow morning.

WEDNESDAY, MARCH 16, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Reed.

The journal of yesterday was read and approved.

Mr. Ward presented three petitions of citizens of Randolph and Ellicottsville, Cattaraugus co., for an appropriation to clear out

and shorten Conewango creek, which was referred to the committee on the internal affairs of towns and counties.

Mr. Clark presented the remonstrance and affidavits against the passage of the bill for the relief of Robert N. McFarren, which was committed to the committee of the whole.

Mr. Cooley presented two remonstrances of citizens of Queens co., against the passage of a law authorising the removal of the court house of said county, which were referred to the committee of the whole.

Mr. Van Schoonhoven presented the remonstrance of the Troy and Boston railroad, against imposition of tolls on its freight, which was referred to the committee on finance.

Mr. Taber presented the petition of citizens of the country towns of Albany co., for a division of said county, which was referred to the committee on the erection and division of towns and counties.

Mr. Williams presented the memorial of the Marine society of the city of New-York, asking for an amendment of their charter, which was referred to the committee on charitable and religious societies.

Mr. Huntington presented the petition of several hundred citizens of Oneida co., for the passage of an act to make grants and devises to ecclesiastical officers vest in their successors, which was referred to the committee on the judiciary.

Mr. Taber presented the petition of trustees of Rensselaerville academy for the passage of the law making appropriation for a teachers' class in the academies of this State, which was referred to the committee on literature.

Mr. Beekman presented the memorial of Peter Wilson, chief of the Cayugas, and moved that the same be printed and referred to the committee on Indian affairs.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the special order, it being the consideration of general orders.

Mr. McMurray moved that the same be postponed until after reports of committees.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for draining Fort Swamp, in the town of Shelby, Orleans co.," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorise the town of South Hempstead to sell a part of their common lands and for other purposes," reported in favor of the passage of the same without amendment.

By unanimous consent,

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Otis	Upham
Bartlett	Cornell	McMurray	Platt	Vanderbilt
Beckman	Davenport	Morgan	Rogers	Ward
Bristol	Huntington	Munroe	Snow	Williams
Clark	Jones	Newcomb	Taber	Wright
Conger	Kirby			

27

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. McMurray, from the committee on finance, to which was referred the Assembly bill entitled "An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads," reported favorably from a majority of said committee, Mr. Morgan dissenting, and moved that said bill be made a special order for Saturday next at twelve o'clock, m.

Mr. Vanderbilt moved to amend, by striking out all after the word "resolved," and insert "that the bill be made the special order immediately after the special order to amend the Constitution is disposed of."

Mr. Conger moved to amend said amendment, by striking out the word "after," and insert the word "before."

Debate was had thereon, when

Mr. Conger withdrew his said amendment.

The President announced the question to be on the amendment of Mr. Vanderbilt.

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Munroe	Smith	Vanderbilt
Beach	Huntington	Newcomb	Snow	VanSchoonhoven
Beckman	Kirby	Otis	Taber	Ward
Bristol	McElwain	Platt	Upham	Williams
Clark	Morgan			

22

FOR THE NEGATIVE.

Bartlett	Conger	Davenport	McMurray	Rogers
Bennett	Cornell	Jones	Pierce	

9

Mr. Cornell then moved to amend the said amendment of Mr. Vanderbilt, so that said bill be made a special order for Friday next at 12 o'clock, m.

Debate was had thereon, when

Mr. Cornell withdrew his said amendment, and offered the following to come in at the conclusion of Mr. Vanderbilt's amendment, to wit: "but in case said special order to amend the Constitution is not sooner disposed of, then this bill shall be the special order for Friday, at four o'clock, p. m., and continue such special order until disposed of."

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Jones	Newcomb	Rogers	
Conger	Davenport	McMurray	Pierce		9

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Taber	VanSchoonhoven	
Beekman	Cooley	Morgan	Upham	Ward	
Bennett	Huntington	Platt	Vanderbilt	Williams	
Bristol	Kirby	Smith			18

The President announced the question to be on the motion of Mr. McMurray as amended.

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Huntington	Munroe	Smith	VanSchoonhoven	
Beekman	Kirby	Newcomb	Taber	Ward	
Bristol	McElwain	Otis	Upham	Williams	
Clark	Morgan	Platt	Vanderbilt	Wright	
Cooley					21

FOR THE NEGATIVE.

Bartlett	Conger	Davenport	McMurray	Rogers	
Bennett	Cornell	Jones	Pierce		9

Mr. Clark, from the committee on roads and bridges, to which was referred the bill entitled "An act repealing the charter of the Newburgh and Plattekill turnpike company," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Williams, from the committee on claims, to which was referred the petition of Robert N. McFarren, late loan commissioner of the county of Yates, reported, and asked and obtained leave to introduce a bill entitled "An act to provide for the relief of Robert N. McFarren," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the incorporation of cities and villages, to which was referred the petition of inhabitants and commissioners of Bushwick, for extension of time to plot town, reported, and asked and obtained leave to introduce a bill entitled "An act to amend an act authorising a permanent plan to be made for the locating of streets, roads and avenues in the town of Bushwick, in the county of Kings, passed April 14, 1852," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorise the clerk of the county of Madison, to remove the records and papers of the county to the grand jury room or some other suitable place," with power to report complete so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Morgan from the select committee to which was referred the bill entitled "An act to enable Julio Arboleda, to acquire, hold, convey and devise real estate," with power to report complete so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. McMurray, from the select committee, to which was referred the bill entitled "An act relating to the deaf and dumb," with power to report complete so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act for investigating and determining the claim of George M. Tibbits and James Forsyth, by the Canal Board.

"An act to authorise the common council of Troy to close up and discontinue a portion of Sixth street, and to lay out and open a new street in said city."

Ordered, That said bills do have their third reading.

Mr. Pierce, from the select committee, to which was referred the bill entitled "An act to amend the charter of the Ulster county saving institution," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bill:

"An act to incorporate the Packer collegiate institute.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to authorise the formation of corporations for ferry purposes."

"An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine hospital."

And after same time spent thereon, the hour of a quarter to two o'clock p. m. having arrived, the President resumed the chair.

By unanimous consent,

Mr. Platt gave notice that he would, at an early day, ask leave to introduce a bill to authorise the Oswego and Syracuse, and the Syracuse and Binghamton railroad companies to consolidate their stock.

By unanimous consent,

Mr. Taber gave notice that he will, at some future day, ask leave to bring in a bill authorising surrogates, or officers performing their duties, to take acknowledgment of bonds to be filed in their offices.

The Senate then took a recess to four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on said bills:

And after some time spent thereon, Mr. Munroe, from said committee, reported in favor of the passage of said bills with amendments, which report was agreed to, and said bills ordered engrossed for a third reading.

The Assembly bill entitled "An act to regulate the fees for searches in the office of the clerk of the city and county of New-York," was read the first time, and by unanimous consent was also read the second time, and referred to a select committee of Senators from the third, fourth, fifth and sixth districts.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act for the better support of the poor in the town of Newburgh, in the county of Orange."

On motion of Mr. Jones,

The said amendments were read.

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Newcomb	Smith
Beekman	Davenport	McElwain	Otis	Snow
Bennett	Huntington	Morgan	Platt	Taber
Bristol	Jones	Munroe	Rogers	Vanderbilt
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in said amendments.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to amend the existing law relating to bribery."

"An act to provide for the instruction of common school teachers."

"An act to amend chapter 382, of the Laws of 1849, entitled 'An act to amend chapter 480, of the Laws of 1847, entitled 'An act relative to the office of town superintendent of common schools, and amendatory of the Revised Statutes, entitled of public instruction,' passed April 11, 1849.'"

And after some time spent thereon, Mr. Wright, from said committee, reported in favor of the passage of the first bill with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Wright, from said committee, reported progress on said second and third mentioned bills, and asked for and obtained leave to sit again.

At six o'clock, p. m.,

The Senate adjourned until 10½ o'clock to-morrow morning.

THURSDAY, MARCH 17, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Salisbury.

The journal of yesterday was read and approved.

Mr. Cooley presented the petition of citizens of Queens county, for the passage of a law authorising the removal of the county court house, which was referred to the committee of the whole.

Mr. Huntington presented the petition of citizens of Sangerville, Oneida county, for the repeal of the law of 1851, abolishing tolls on railroads, and asking for the passage of that part of the bill now before the Legislature, levying tolls on the several railroads in this State, which was referred to the committee of the whole.

Mr. Huntington presented five several petitions of citizens of Utica, Oneida county, for the passage of a law to authorise said city to take stock in, or loan its credit in aid of the construction of the Black River and Utica railroad, which was referred to the committee on the incorporation of cities and villages.

Mr. Huntington presented two several remonstrances of citizens of Utica, Oneida county, against the passage of any law authorizing said city to take stock, or loan its credit to said railroad, which was referred to the committee on the incorporation of cities and villages.

Mr. Davenport presented several remonstrances of citizens of

Lewis county, against the passage of any law allowing highway labor to be done on the Lowville and Carthage plank road, which was referred to the committee on roads and bridges.

Mr. Bristol presented the petition of citizens of Binghamton, for the privilege of constructing a bridge across the Chenango river, which was referred to the committee on roads and bridges.

Mr. Cooley presented a memorial of citizens of New-York, asking for the repeal of the usury laws of this State, which was referred to the committee on the judiciary.

Mr. Morgan presented a memorial of the trustees of the Seamen's fund and retreat, for the passage of an act in relation to the moneys levied by law on masters, mates, mariners, and seamen arriving at the city and port of New-York, and the disposal of the same, which was referred to a select committee consisting of Senators from 1st to 6th districts, inclusive.

Mr. Williams, from the committee on the incorporation of cities and villages, to which was referred the bill, entitled "An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act further to amend the charter of the village of Albion."

"An act to amend an act, entitled 'An act to incorporate the Pacific mail steamship company,' passed April 12, 1848."

"An act in relation to the Peoples' bathing and washing association, incorporated April 11, 1849."

"An act in relation to the Newburgh and Shawangunk plank road company."

"An act to enable Alexander Seignette to convey real estate."

"An act concerning the mayor of the city of Buffalo."

"An act to change the name of the Palmyra bank."

"An act to change the name of the village of Mile Square, in the county of West Chester."

Ordered, That said bills do have their third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the official acts of Joseph P. Richardson, a justice of the peace," with power to report complete, so reported.

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett
Bennett

Huntington
Jones

Morgan
Otis

Snow
Taber

VanSchoonhoven
Williams

Bristol
ClarkKirby
McElwain

Rogers

Upham

Wright

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. McMurray, from the select committee, to which was referred the bill, entitled "An act to simplify the manner of collecting arrears of taxes, assessments, and regular rents of croton water in the city and county of New-York," with power to report complete, so reported, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McMurray, from the select committee, to which was referred the Assembly bill, entitled "An act to regulate the fees for searches in the office of the clerk of the city and county of New-York," with power to report complete, reported favorably, and moved that said bill be referred to a select committee consisting of the Senators from the 3d, 4th, 5th and 6th districts.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt, from the select committee to which was referred the bill, entitled "An act to amend an act, entitled 'An act in relation to streets and parks in the city of Brooklyn,' passed April 14, 1852," with power to report complete, so reported, and said bill ordered engrossed for a third reading.

Mr. Morgan from the select committee of eight, reported the following bills as proper to be referred to select committees to report complete, which report was agreed to and said bills referred as follows:

"An act to change the name of John Egleston to John E. Lowden," to Messrs. Williams, Kirby and Clark.

"An act to change the name of George William Noxan, to Geogre Noxan Leavenworth." to Messrs. Munroe, Davenport and Beach.

"An act defining the limits to the jail in the city of Utica, in and for the county of Oneida," to Messrs. Huntington, Bennett and Platt.

"An act to confirm the title to certain lands in the town of Thompson, county of Sullivan, in George Turner Jr. and James Turner," to Messrs. Jones, Taber and Pierce.

"An act to amend 'An act in relation to railroad corporations,' passed February 13, 1851," to Messrs. Bristol, Platt and Huntington.

"An act authorising the canal commissioners to build a bridge across the Main and Hamburg street canal, in the city of Buffalo, at Louisiana street," to Messrs. Babcock, Jones and Bartlett.

"An act to authorise the clerk of Kings county to record assignments of a certain mortgage," to Messrs. Vanderbilt, Cooley and Beekman.

"An act to authorise the New London plank road company to

abandon a part of their road," to Messrs. Huntington, Smith and Rogers.

"An act to amend 'An act for the incorporation of the village of Oxford, and for other purposes,' passed April 6, 1808," to Messrs. Bennett, McElwain and Bartlett.

"An act to provide for the safe keeping of records in Onondaga county," to Messrs. Munroe, Bristol and Cornell.

"An act to amend 'An act to provide for the incorporation of companies to construct turnpike roads,' passed May 7, 1847, and the acts amendatory thereof," to Messrs. Clark, Cornell and Taber.

"An act to allow the Salina, Liverpool and Clay plank road company to abandon a part of their road," to Messrs. Munroe, Van Schoonven and Cooley.

"An act to release the interests of the people of the State of New-York in certain lands in the county of Erie, to Erasta Anne Wright," to Messrs. Babcock, Ward and Davenport.

"An act to extend the time allowed Peirre J. Decaters and others, to hold and convey certain real estate," to Messrs. Babcock, Conger and Clark.

"An act to erect the town of Gardiner in the county of Ulster," to Messrs. Pierce, Ward and Bristol.

"An act in relation to the cemetery grounds of the congregation of Shearith Israel," to Messrs. Morgan, Newcomb and Mc Murray.

"An act to amend 'An act to establish a turnpike corporation for improving and making a road from the village of Newburgh, on the Hudson river, to Cohecton on the Delaware river,'" to Messrs. Jones, Bartlett and Upham.

"An act to authorise the clerk of Orleans county to transcribe so much of the records of Genesee county as relate to lands in Orleans county," to Messrs. Upham, Cornell and Babcock.

"An act for the relief of Relief Lodge, No. 61, in the village of Towanda, Cattaraugus county," to Messrs. Ward, Babcock and Cornell.

"An act to release interest of the State in certain escheated lands to Catharine W. Boyd," to Messrs. Babcock, Peirce and Snow.

"An act to amend 'An act in relation to the incorporation of the village of Le Roy,' passed April 6, 1852," to Messrs. Upham, Clark and Kirby.

"An act relative to guardians and wards," to Messrs. Cornell, Taber and Vanderbilt.

"An act to authorise railroad corporations to construct branch tracks, for freighting purposes," to Messrs. Bartlett, Smith and Platt.

"An act to release to James Knox, and William Knox, the interest of the State in certain bonds and mortgages," to Messrs. Munroe, Bristol and Otis.

By unanimous consent,

On motion of Mr. Jones,

Resolved, That William H. Bogart be directed to continue the digest of claims heretofore compiled by him, so as to embrace those presented to the Legislature at this session; and that he embody in such digest, an abstract of the reasons given by the committee of claims in denying or approving the claim, the expense of which shall not exceed one hundred and twenty-five dollars.

- By unanimous consent,
In pursuance of previous notice,

Mr. Otis asked for and obtained leave to introduce a bill entitled "An act to authorise the commissioners of highways, of the town of Stockport, in the county of Columbia, to lay out and open highways in said town less than three rods wide," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

- By unanimous consent,
In pursuance of previous notice,

Mr. Williams asked for and obtained leave to introduce a bill entitled "An act to apply the provisions of an act, entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference,' passed April 16, 1852, to the Ithaca cotton mills company, at Ithaca, in the county of Tompkins," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

- By unanimous consent,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act for the better security of persons crossing the ferries of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee, consisting of the Senators from the first, second, third and fourth districts.

- By unanimous consent,
In pursuance of previous notice,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to amend chapter 300, of the Laws of 1849, relative to libraries of the court of appeals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

- By unanimous consent,
In pursuance of previous notice,

Mr. Platt asked for and obtained leave to introduce a bill entitled "An act to authorise the consolidation of the Syracuse and Binghamton, and the Oswego and Syracuse railroad companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

- By unanimous consent,

In pursuance of previous notice,

Mr. Rogers asked for and obtained leave to introduce a bill entitled "An act to define the boundaries between certain towns in the county of Essex," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee, consisting of Senators Ward, Bennett and Bristol.

By unanimous consent,

In pursuance of previous notice,

Mr. Taber asked for and obtained leave to introduce a bill entitled "An act authorising surrogates, or officers performing their duties, to take acknowledgments of bonds to be filed in their offices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, to report complete.

By unanimous consent,

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act to amend an act, entitled 'An act in relation to the recorder's court of the city of Buffalo,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, to report complete.

The President presented a communication from the Secretary of State, transmitting the annual report of the New-York Institution for the Blind, which was referred to the committee on charitable and religious societies.

The Senate then resolved itself into a committee of the whole on the concurrent resolutions heretofore offered by Mr. Vanderbilt.

And after some time spent thereon, Mr. Jones, from said committee, reported progress, and asked for and obtained leave to sit again.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the licensing and government of the pilots and regulating pilotage of the port of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act for the protection of emigrant passengers arriving at the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Aaron T. Hopkins, Henry Hewitt and Charles Russell, commissioners for the improvement of Rackett river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on grievances.

A bill was received from the Assembly for concurrence, entitled "An act to amend the several acts relating to the Cayuga creek road in the county of Erie, passed March 29, 1849, and June 20, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act relative to the Morpeth avenue and toll bridge company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to facilitate the forming of agricultural, horticultural and poultry societies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

A bill was received from the Assembly for concurrence, entitled "An act to establish a ferry across Cayuga lake, from the village of Union Springs, in Cayuga county, to Fayette, in Seneca county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Monticello and Wurtsboro plank road company to purchase from the Newburgh and Cohecton turnpike road company, a bridge across the Neversink river, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act relative to lands held in trust by Theodorio Romeyn Beck, for the benefit of Pierre Van Cortlandt and wife, and their descendants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Emanuel congregation of the city of New-York, to hold, grant and convey real estate," which was read the first time, and by unanimous consent, was also read a second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the city of Utica to take stock in the Black River and Utica railroad, and to sell its bonds to provide for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Peter R. Simmons," which was read the first time, and by unanimous consent was also read the second

time, and referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to release the interest of the people of this State in certain real estate conveyed by Peter Dempsey and wife, to John Aird, which escheated on his death, to Charles Davis, and James Davis, who are equitably entitled thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Dunkirk savings bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the town of North Danville to borrow money to aid in the construction of a railroad through said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the publishing committee of the Northern Christian Advocate, in Auburn, Cayuga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act to change the title of the Owego Congregational Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Harry Hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill:

"An act to extend the time for a compliance by the Albany and Susquehanna railroad company with the 47th section of the general railroad act."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly bill, entitled "An act to authorise the Fredonia and Sinclairville plank road company to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Davenport	McElwain	Otis	Upham
Bennett	Huntington	McMurray	Platt	Ward
Bristol	Jones	Munroe	Smith	Wright
Clark	Kirby	Newcomb	Snow	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act for investigating and determining the claim of George M. Tibbits and James Forsyth," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Smith	VanSchoenhoven
Bartlett	Huntington	Munroe	Snow	Ward
Beach	Jones	Otis	Upham	Williams
Beckman	Kirby	Pierce	Vanderbilt	Wright
Bristol				

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the repairs of the locks on the Champlain canal," was read a third time.

By unanimous consent,

On motion of Mr. Conger,

Said bill was amended by striking out the words "commissioners shall cause," in the fourth line of section one, and inserting the words "board may direct any of," and add at the close of said section, "provided that the estimated expense of such extra construction shall not exceed the estimated cost of repairing all the locks dilapidated as aforesaid"; and also, strike out the word "commissioners," in first line second section, and insert the words "Canal Board."

The President then announced the question to be on the final passage of said bill, when,

At a quarter to two o'clock, p. m.

The Senate took a recess.

AT FOUR O'CLOCK, P. M.

The Senate again met.

The President again announced the question before the Senate to be on the final passage of the bill under consideration at the time of recess.

Mr. Babcock moved to recommit the said bill to the committee on canals, with instructions to amend the same so as to provide that the Canal Board shall have power to construct locks upon an enlarged plan upon any of the canals, in place of existing locks that require re-building, in case the cost of such enlarged locks shall not exceed in cost the expense of rebuilding said locks upon the original size and plan.

Mr. Jones moved to amend said amendment of Mr. Babcock, by striking out all after the word "same," in the 2d line thereof, and inserting, "the Canal Board are authorised to build two enlarged locks on the Champlain canal, at Whitehall, provided the same shall not, upon a proper estimate, cost more than the rebuilding the three present single locks."

Mr. Babcock accepted said amendment.

By unanimous consent,

The committee on canals were authorised to report the same complete.

By unanimous consent,

On motion of Mr. Upham,

Resolved, That the resolution of Senator Vanderbilt, amending the Constitution, be made the special order for to-morrow, at 4 o'clock.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bill:

"An act to amend an act, entitled 'An act to incorporate the Spracuse water works company,' passed April 5, 1849."

Ordered, That the clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to supply the village of Watertown with pure and wholesome water, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act providing for the appointment of an additional number of notaries public in the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to annex certain parts of the third and fourth wards of the city of Schenectady, to the towns of Niskayuna and Rotterdam, in the county of Schenectady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the title of a certain lot of land to George Henry, Jr.," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to provide for laying out and constructing a road from Parishville to Long Lake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act in relation to the trustees of Cayuga Academy, passed April 1, 1844," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act relating to the harbor masters of the port of New-York, passed March 16, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee, consisting of the Senators from the third, fourth, fifth and sixth districts.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act, entitled 'An act to incorporate the city of Oswego,' passed March 24, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to repeal an act incorporating the Seneca bridge company, passed May 5, 1834," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to enable Mary E. Noyes to change her name, and declaring her to be the heir at law of Ogden Dorrington," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Syracuse Home association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Richmondville union seminary and Female collegiate institute, to increase their capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act, entitled 'An act in relation to suits by and against stock companies and associations,' passed April 7, 1849," which was read the first time, and by unanimous consent was also

read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act, entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Cherry Valley, in the county of Otsego,' passed June 8, 1812," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act relative to the Lewiston railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence, entitled "An act to release the interest of the State in certain real estate of which James Brenon died seized, to Eliza R. Brenon, his widow," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act incorporating the village of Sing Sing, in the county of Westchester, passed April 2, 1813, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act confirming a conveyance of real estate to Henrietta Fanny Courtin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the Receiver of the Utica Insurance co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the president and directors of the Williamsburgh turnpike road and bridge company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the construction of draw-bridges over the Flushing and Newtown creeks, in the counties of Queens and Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the extension of the draining of the Black creek or Crosier Swamp, in the county of Ulster," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent,

On motion of Mr. Vanderbilt,

Resolved, That the bill to extend the time, to plot the town of Bushwick, introduced by the committee on cities and villages, be referred back to said committee to report complete.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following bills.

"An act to release the interest of the people of the State of New-York to certain premises in Utica, Oneida county, to Jane Eliza Deklyn."

"An act authorising the formation of county teachers' associations."

"An act in relation to the Glebe lands in the village of Newburgh, Orange county."

"An act to amend an act, entitled 'An act authorising the incorporation of rural cemetery associations,' passed April 27, 1847."

Ordered, That said bills do have their third reading.

The bill, entitled "An act to amend the sixteenth chapter of the first part, of the Revised Statutes," was read the third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Jones	Munroe	Rogers	
Beekman	Conger	Kirby	Newcomb	Smith	
Bennett	Davenport	McElwain	Otis	Taber	
Bristol	Huntington	McMurray	Platt	Ward	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the common council of the city of Troy to discontinue a portion of Sixth street, and to lay out and open a new street in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Rabeock	*Clark	Huntington	Newcomb	VanSchoonhoven	
Bartlett	Conger	Jones	Otis	Ward	
Beekman	Cooley	Kirby	Rogers	Williams	
Bennett	Cornell	McElwain	Smith	Wright	
Bristol	Davenport	McMurray	Snow		24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to public schools in the city of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Smith
Bartlett	Conger	Kirby	Newcomb	Taber
Beekman	Cooley	McElwain	Otis	Ward
Bennett	Davenport	McMurray	Platt	Williams
Bristol	Huntington	Morgan	Rogers	24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the city of Oswego, to convey by deed certain lots in the market block, in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Snow
Beekman	Davenport	McElwain	Pierce	Taber
Bristol	Huntington	Morgan	Platt	Vanderbilt
Clark	Jones	Newcomb	Smith	Williams
				20

FOR THE NEGATIVE.

Cornell	1
---------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Levi Hurlburt and Charles Vroman," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Otis	Taber
Beekman	Cornell	Kirby	Platt	Ward
Bristol	Davenport	Morgan	Rogers	Williams
Clark	Huntington	Newcomb	Snow	Wright
				20

FOR THE NEGATIVE.

McElwain	1
----------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the Newburgh and Ellenville plankroad company to abandon some parts of their road and to issue a preferred stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Otis	Taber
Beekman	Davenport	McElwain	Platt	Ward
Bristol	Huntington	Morgan	Rogers	Williams.
Clark	Jones	Newcomb	Smith	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the several acts relating to the powers and duties of the commissioners of emigration, and for the regulation of the Marine hospital," was read a third time.

Mr. Taber moved to recommit the same, with instructions to strike out the fifth and sixth sections.

Debate was had thereon, when

At six o'clock, p. m.,

The Senate adjourned until 10½ o'clock to-morrow morning.

FRIDAY, MARCH 18, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Reed.

The journal of yesterday was read and approved.

Mr. Cooley presented the petition of citizens of Queens county, for a law authorising the removal of the court house in that county, which was referred to the committee of the whole.

Mr. Kirby presented the petition of Ebenezer Murdock, asking pay for buildings taken by the State at Lockport, which was referred to the committee on claims.

On motion of Mr. Morgan, and by unanimous consent,

Resolved, That the third reading of bills be made a special order for Monday next, immediately after the presentation of petitions, and be continued during that day unless all bills in readiness be sooner disposed of.

Mr. Vanderbilt presented the memorial of the president of Union college, which was laid upon the table and ordered printed.

Mr. Vanderbilt presented the memorial of the trustees of Union college, which was laid upon the table and ordered printed.

By unanimous consent,

Mr. Vanderbilt offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That there be printed the same number of the memorials of the trustees of Union college and of the president of that college as were ordered to be printed of the report of the commissioners appointed by the Senate, to investigate the pecuniary affairs of the said college, and that the said memorials be attached to the said report so that the whole shall form one document.

By unanimous consent,

The President put the question whether the Senate would agree to the said resolution, without reference to the printing committee, and it was decided in the affirmative.

Mr. Ward presented the petition of citizens of Leon, Cattaraugus county, for an appropriation to clear out and shorten Conewango creek, which was referred to the committee on the internal affairs of town and counties.

The President announced the special order it being the consideration of the general orders.

Mr. Bristol moved that the same be postponed until after the reports of committees.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed, the following entitled bills:

"An act repealing the charter of the Newburgh and Plattekill turnpike company, and all acts relating thereto."

"An act to amend an act entitled 'An act in relation to streets and parks in the city of Brooklyn,' passed April 14, 1852."

"An act to enable Julio Arboleda to acquire, hold, convey and devise real estate."

"An act relative to the deaf and dumb."

"An act to amend the charter of the Ulster county savings institution."

Ordered, That said bills do have their third reading.

By unanimous consent,

Mr. Beekman presented the annual report of the New-York institution for the blind, for the year 1852, which was ordered printed.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the commissioners of highways of the town of Stockport, in the county of Columbia, to lay out and open highways in said town, less than three rods wide," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Clark, from the committee on trade and manufactures, to which was referred the bill entitled "An act to apply the provisions of an act entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference, passed April 16, 1852,' to the Ithaca cotton mills company at Ithaca in the county of Tompkins," reported in favor of the passage of the

same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages to which was referred the bill entitled "An act to incorporate the Ithaca water works company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the publishing committee of the Northern Christian Advocate, in Auburn, Cayuga county," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Davenport, from the select committee to which was referred the Assembly bill entitled "An act to change the name of George William Noxon to George Noxon Leavensworth," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Ward, from the select committee, to which was referred the bill entitled "An act to define the boundaries between certain towns in the county of Essex," reported in favor of the passage thereof without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to change the name of John E. Eggleston to John E. Lowdon," with power to report complete so reported.

Mr. McMurray, from the select committee of Senators from the third, fourth, fifth and sixth districts, to which was referred the Assembly bill entitled "An act to regulate the fees for searches in the office of the clerk of the city and county of New-York," with power to report complete, so reported.

Ordered, That said bill do have its third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to restrict and regulate the power of municipal corporations to borrow money, contract debts, and loan their credit," was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bartlett, from the select committee, to which was referred the bill entitled "An act to authorize railroad corporations to construct branch tracks for freighting and other purposes," with power to report complete, so reported, and said bill ordered engrossed for a third reading.

Mr. Pierce, from the select committee to which was referred the bill entitled "An act to erect the town of Gardiner, in the county of Ulster," with power to report complete, so reported, and said bill ordered engrossed for a third reading.

Mr. Munroe, from the select committee, to which was referred

the Assembly bill entitled "An act to provide for the safe keeping of records in Onondaga county," with power to report complete, so reported, and said bill ordered to a third reading.

Mr. Bristol, from the select committee, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to railroad corporations,' passed February 13, 1851," with power to report complete, so reported, and said bill ordered to a third reading.

Mr. Huntington, from the select committee, to which was referred the Assembly bill entitled "An act defining the limits to the jail in the city of Utica, in and for the county of Oneida," with power to report complete, so reported, and said bill ordered to a third reading.

Mr. Bennett, from the select committee, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of the village of Oxford, and for other purposes,' passed April 6, 1808," with power to report complete, so reported, and said bill ordered to a third reading.

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act to release the interest of the people of the State in certain real estate in the county of Erie, to Erasta Ann Wright," with power to report complete, so reported, and said bill ordered engrossed for a third reading.

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act to release the interest of the State in certain lands to Catharine W. Boyd," with power to report complete, so reported, and said bill ordered engrossed for a third reading.

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act authorising the Canal Commissioners to build a bridge across the Main and Hamburg street canal in the city of Buffalo, at Louisiana street," with power to report complete, so reported, and said bill ordered engrossed for a third reading.

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act to extend the time allowed Pierre J. Decaters and others, to hold and convey certain real estate," with power to report complete, so reported, and said bill ordered engrossed for a third reading.

Mr. Jones, from the select committee, to which was referred the bill entitled "An act to amend the act to establish a turnpike corporation for improving and making a road from the village of Newburgh, on the Hudson river, to Cohecton on the Delaware river," with power to report complete, so reported, and said bill ordered engrossed for a third reading.

Mr. Jones, from the select committee, to which was referred the Assembly bill entitled "An act to confirm the title to certain lands situate in the town of Thompson, in the county of Sullivan, in George Turner Jr., and James Turner," with power to report complete, so reported, and said bill ordered to a third reading.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the laying out and constructing a road from the town of Parishville, to Long lake," with power to report complete, so reported, and said bill ordered to a third reading.

Mr. Morgan, from the select committee of Senators from 1st to 6th districts, inclusive, to which was referred the memorial of the trustees of the Seamen's fund and retreat, for a law in relation to certain moneys levied, &c., reported, and asked and obtained leave to introduce a bill entitled "An act in relation to the moneys levied by law on masters, mates, mariners, and seamen arriving at the city and port of New-York, and the disposal of the same by the trustees of the Seamen's fund and retreat, and by the trustees for the aid of female relatives of seamen," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Upham, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the incorporation of the village of Le Roy,' passed April 6, 1852," with power to report complete, so reported, and said bill ordered engrossed for a third reading.

The President again announced the special order, it being the consideration of general orders.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to repeal chapter 175, of the Laws of 1849, and to provide for the settlement of damages consequent thereon."

"An act to provide for the effectual draining of the Cayuga marshes and swamp lands."

And after some time spent thereon, Mr. Cooley, from said committee, reported that they had agreed to strike out the enacting clause of said first mentioned bill.

Mr. Cooley, from said committee, reported progress on said second mentioned bill, and asked and obtained leave to sit again.

The President then announced the question to be on agreeing to the report of the committee on said first mentioned bill.

Mr. Pierce moved to recommit said report and bill to the committee on printing, with instructions to amend the same so as to read as follows:

§ 1. The fifth section of the said act is hereby amended, to read as follows:

"One thousand copies of said documents when printed and bound, shall be deposited with the Secretary of State, to be disposed of as the Governor, Secretary of State and Comptroller may direct for the purpose, and in the way of literary exchanges; and the remaining copies which shall be printed under the provisions of this act, shall be sold under the directions of said State officers, for such price as shall be determined by them, not less than twenty-five per cent over the actual cost of preparing, printing

and binding the same, and the proceeds thereof paid into the State Treasury."

§ 2. This act shall take effect immediately.

Debate was had thereon, when

The President decided that the said motion of Mr. Pierce to recommit, was not in order, but that the question before the Senate was on agreeing to the report of the committee of the whole.

Debate was had thereon, when

At a quarter before 2 o'clock p. m.,

The Senate took a recess until 4 o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the bill entitled "An act to authorise the board of supervisors of the county of Oneida, to levy a tax for the purpose of completing and furnishing the court house in the city of Utica."

Ordered, That the clerk return said bill to the Assembly.

On motion of Mr. Jones, and by unanimous consent,

Resolved, That the bill entitled "An act to authorise the commissioners of highways of the town of Livingston, Clermont and Germantown, in the county of Columbia, to build a bridge over the Roeliff Johnson Kill creek, in said towns of Livingston, and to provide for the expense thereof," be referred back to the select committee with instructions to amend and report the same complete.

The Senate then resolved itself into a committee of the whole on the concurrent resolutions of Mr. Vanderbilt, in relation to an amendment of the constitution.

And after some time spent thereon, Mr. Jones, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Vanderbilt,

The said resolutions were made a special order for to-morrow at eleven o'clock, a. m.

At 6 o'clock p. m.

The Senate adjourned to 10½ o'clock to-morrow morning.

SATURDAY, MARCH 19, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Salsbury.

The journal of yesterday was read and approved.

Mr. Cooley presented the petition of citizens of the county of Queens, for a law authorising the removal of the court house of said county, which was referred to the committee of the whole.

Mr. Cooley presented the remonstrance of citizens of Richmond county, against Assembly bill number 162, relative to landing emigrants, which was referred to the committee on commerce and navigation.

Mr. Davenport presented the petition of five hundred inhabitants of Jefferson county for a law declaring Indian river a public highway, which was referred to the committee on the internal affairs of towns and counties.

Mr. Morgan presented the remonstrance of merchants, ship owners and others in New-York city, against some of the provisions of the bill relating to the powers and duties of the Commissioners of Emigration, which was laid upon the table.

Mr. Williams presented the memorial relative to the claim of Robert N. McFarren, late loan commissioner of the county of Yates, which was referred to the committee of the whole.

Mr. Cornell presented the petition of trustees of the Franklin academy, for a loan of money to enable them to finish their academic buildings, which was referred to the committee on finance.

Mr. Beekman presented the petition of Levinus Vanderheyden, to have certain affidavits printed in relation to affairs of Union college, along with a memorial of the trustees and president of said college, and attached to the same document, and offered the following resolution relative thereto:

Resolved, That there be printed the affidavits of Nezhiah Bliss, of Joseph D. Monell, and the affidavit, dated March 14th, 1853, made by Levinus Vanderheyden the accountant employed by the commissioners appointed by the Senate to investigate the pecuniary affairs of Union College, together with a certain account of special deposits made with its treasurer, which was added to and written in his fund book, marked No. 1, between the 24th days of August 1852, and the 29th day of September 1852, at pages 54 to 59 inclusive, while said book was loaned by said accountant, in whose custody it had been about one year, to Professor Jonathan Pearson acting treasurer, by which addition and interpolation it was made to appear that the College was indebted to its President in the sum of \$222,000, contrary to other books and vouchers of said College, which represented the President to be indebted to the College \$885,000; and that said affidavits and

account when printed be attached to each copy of the report of the commissioners of investigation made to the Senate March 4th 1853, so that the whole shall form one document.

Debate was had thereon, when

At eleven o'clock, a. m., the President announced the special order, it being the consideration of the concurrent resolution of Mr. Vanderbilt, in relation to an amendment of the Constitution.

Mr. Van Schoonhoven moved to postpone the special order until the question before the Senate be disposed of.

Mr. Clark called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Pierce	Smith	VanSchoonhoven	4
----------	--------	-------	----------------	---

FOR THE NEGATIVE.

Babeock	Bristol	Huntington	McMurray	Platt	
Beekman	Clark	Jones	Morgan	Upham	
Bennett	Cooley	Kirby	Newcomb		14

The Senate then resolved itself into a committee of the whole on the concurrent resolutions of Mr. Vanderbilt, in relation to an amendment of the Constitution for the completion of the canals.

And after some time spent thereon, Mr. Jones, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Upham, and by unanimous consent,

Resolved, That so much of the resolution of the Senate requiring a recess from a quarter to two o'clock, p. m., each day, be suspended for this day.

On motion of Mr. Wright, and by unanimous consent, the following preamble and resolution was adopted:

Whereas, The canal board having been called upon by resolution of the Senate, some three weeks since, to report what complaints and charges have been made during the past year against certain canal officers,

And whereas no response from that board has yet been recieved, it is therefore

Resolved, That the Auditor of the Canal Department be requested to furnish the Senate, within six days, a copy of the complaint or charges made to the Canal Board against any and all canal superintendents during the past year, the testimony taken by the Board in relation thereto, and their action thereon, and the final disposition of each of the several complaints preferred against such officers.

At 2 o'clock, p. m.

The Senate adjourned until 10½ o'clock Monday morning.

MONDAY, MARCH 21, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of Saturday was read and approved.

Mr. Cooley presented the petitions of citizens of Queens county, for the passage of a law authorising the removal of the court house in said county, which were referred to the committee of the whole.

Mr. Cooley presented the petition of citizens of Staten Island to restore the office of physician of the marine hospital as a State office, which was laid on the table.

Mr. Morgan presented the petition of Professors Mott, Van Buren, Paine and Swett, of the university of New-York for the restoration of the office of physician of the marine hospital, which was laid on the table.

Mr. Williams presented the memorial relating to the claim of Robert N. McFarren, State loan commissioner of the county of Yates, which was referred to the committee of the whole.

Mr. Babcock presented the petition of the officers of the Buffalo dispensary for an appropriation, which was referred to the committee on finance.

Mr. Beekman presented the petition of Professors in the college of physicians and surgeons of New-York city to restore the office of physician of the marine hospital, which was laid on the table.

Mr. Beekman presented the memorial of citizens of Schenectady county against the passage of a bill taxing tolls on railroad, which was referred to the committee of the whole.

Mr. Van Schoonhoven presented the petition of the faculty of the Albany medical college to restore the office of physician of the marine hospital, which was laid on the table.

By unanimous consent,

Mr Jones gave notice that he would, to-morrow, ask leave to introduce a bill declaring George W. Killam and Emily Killam Miles, lawful heirs of George Killam.

By unanimous consent,

Mr. Clark gave notice that he would, at an early day, ask leave to introduce a bill to amend "An act for the incorporation of companies formed to navigate the ocean by steamships, passed April 12, 1852."

By unanimous consent,

The President presented the petition of 400 citizens of Orleans county, without distinction of party for the passage of the bill imposing tolls on railroads, which was referred to the committee of the whole.

The bill entitled "An act concerning the mayor of the city of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and the vote was as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Platt	Snow	
Bartlett	Cooley	Kirby	Rogers	Upham	
Bennett	Cornell	Morgan	Smith	Williams	15

A quorum not voting,

Ordered, That said bill be laid on the table.

The bill entitled "An act to enable Alexander Seignette to convey real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Platt	Upham	
Beekman	Cornell	McMurray	Rogers	Van Schoonhoven	
Bristol	Huntington	Morgan	Smith	Wright	
Clark	Jones				1:

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act further to amend the charter of the village of Albion," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Rogers	Upham	
Bartlett	Clark	Kirby	Smith	Williams	
Beekman	Cooley	Morgan	Snow	Wright	
Bennett	Cornell	Platt			18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill, entitled "An act to amend an act, entitled 'An act in relation to railroad corporations,' passed February 18, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Smith	Upham	
Bartlett	Cooley	Platt	Snow	Williams	
Beekman	Huntington	Rogers	Taber	Wright	
Bennett	Jones				17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act in relation to the People's bathing and washing association, incorporated April 11, 1849," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Platt	Snow
Bartlett	Clark	Kirby	Rogers	Upham
Beckman	Cooley	McMurray	Smith	Wright
Bennett	Huntington	Morgan		

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the Newburgh and Shawangunk plank road company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Rogers	Upham
Bartlett	Clark	Jones	Smith	Van Schoonhoven
Beckman	Cooley	Morgan	Snow	Wright
Bennett	Cornell	Platt	Taber	

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bill :

"An act to provide for certain expenses chargeable to the Canal Fund."

Ordered, That the clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the town of Phelps, Ontario county to raise money to pay C. A. Bloomer and F. C. Bloomer, for losses sustained by them on erecting a town house for said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act, entitled 'An act to authorise the payment of money by the county of Columbia, to the Hudson orphan relief asylum,' passed April 10, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act to annex part of the town of Newfield, Tompkins county, to the town of Catharine, Chemung county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit :

"An act to authorise the board of supervisors of the county of Oneida, to levy a tax for the purpose of completing and furnishing the court house in the city of Utica."

"An act to confirm the official acts of Joseph P. Richardson, a justice of the peace."

The President presented the report of the State Engineer and Surveyor, in reply to a resolution of the Senate, calling for information of probable cost of completing enlargement of Erie, Oswego, and Cayuga and Seneca canals, and completion of Genesee Valley and Black river canals, which was referred to the committee of the whole.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills :

"An act in relation to common schools in the city of New-York."

"An act to erect town of Gardiner in the county of Ulster."

"An act to authorise railroad corporation to contract branch tracks for freighting and other purposes."

"An act to incorporate the New-York corn exchange."

Ordered, That said bills do have their third reading.

The bill entitled "An act to change the name of the village of Mile Square, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Huntington	Morgan	Upham
Beekman	Cooley	Jones	Platt	VanSchoonhoven
Bennett	Cornell	Kirby	Smith	Williams
Bristol	Davenport	McMurray	Snow	19

FOR THE NEGATIVE.

Babeock

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to change the name of the Palmyra bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Platt	Upham
Bartlett	Clark	Jones	Smith	VanSchoonhoven
Beekman	Cooley	Kirby	Snow	Williams
Bennett	Davenport	McMurray		18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act amendatory to an act, to amend an act, entitled 'An act for the enrolment of the militia, fines in certain cases, and to exempt members of uniform companies from working on highways, and serving on juries,' passed April 16, 1851, passed April 10, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Morgan	Snow
Bartlett	Cooley	Jones	Platt	Upham
Beekman	Cornell	Kirby	Smith	Williams
Bristol	Davenport	McMurray		18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable Thomas Cypriano De Mosquera and Pedro Alcantera Herren to hold real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of the said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Rogers	VanSchoonhoven
Beekman	Davenport	McMurray	Snow	Williams
Bennett	Huntington	Morgan	Upham	Wright
Bristol	Jones	Platt		18

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to apply the provisions of an act, entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference,' passed April 16, 1852, to the Waterloo cotton company, at Waterloo, Seneca county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Platt	Upham
Bartlett	Clark	Kirby	Smith	Williams
Beekman	Cooley	McMurray	Snow	Wright
Bennett	Huntington			

17

FOR THE NEGATIVE.

Davenport

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to enable Carrington Macfarlane and James Duncan Macfarlane, infant aliens, to take and hold real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Morgan	Snow
Beekman	Cooley	Jones	Platt	Upham
Bennett	Cornell	Kirby	Smith	Williams
Bristol	Davenport	McMurray		

18

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the minister, elders and deacons of the Reformed Dutch church on the corner of Greene and Houston streets in the city of New-York, to change their name," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	Kirby	Rogers	Van Schoonhoven
Beekman	Davenport	McMurray	Smith	Williams
Bristol	Huntington	Morgan	Snow	Wright
Clark	Jones	Platt	Upham	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act defining the limits to the jail in the city of Utica, in and for the county of Oneida," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Platt	Van Schoonhoven
Bartlett	Cooley	Kirby	Rogers	Upham

Beekman
Bennett
Bristol

Davenport
Huntington

McMurray
Morgan

Smith
Snow

Williams
Wright

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to amend an act, entitled 'An act authorising the incorporation of rural cemetery associations,' passed April 27, 1847," was read a time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Platt	Upham
Bartlett	Cooley	Kirby	Rogers	VanSchoonhoven
Beekman	Cornell	McMurray	Smith	Williams
Bristol	Davenport	Morgan	Snow	Wright

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the glebe lands in the village of Newburgh, Orange county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Platt	Upham
Bartlett	Cooley	Kirby	Rogers	VanSchoonhoven
Beekman	Davenport	McMurray	Smith	Williams
Bennett	Huntington	Morgan	Snow	Wright

21

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend 'An act for the incorporation of the village of Oxford and for other purposes,' passed April 6, 1808," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Morgan	Upham
Bartlett	Cooley	Jones	Platt	VanSchoonhoven
Beekman	Cornell	Kirby	Rogers	Williams
Bennett	Davenport	McMurray	Snow	Wright

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to change the name of John E. Eggleston to John E. Lowden," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Morgan	Snow
Bartlett	Clark	Jones	Platt	Upham
Beekman	Cornell	Kirby	Rogers	Williams
Bennett	Davenport	McMurray		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill, entitled "An act to change the name of George William Noxon to George Noxon Leavenworth," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Morgan	VanSchoonhoven
Bartlett	Clark	Jones	Platt	Williams
Beekman	Cornell	Kirby	Snow	Wright
Bennett	Davenport	McMurray	Upham	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act repealing the charter of the Newburgh and Plattekill turnpike company, and all acts relating thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Jones	Platt	Upham
Beekman	Cornell	Kirby	Rogers	Williams
Bennett	Davenport	McMurray	Snow	Wright
Bristol	Huntington	Morgan		

18

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act, entitled 'An act in relation to streets and parks in the city of Brooklyn,' passed April 14, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the af-

Affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Morgan	Upham
Bartlett	Cooley	Jones	Platt	VanSchoonhoven
Beckman	Cornell	Kirby	Rogers	Williams
Bennett	Davenport	McMurray	Snow	Wright
Bristol				

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable Julio Arboleda to acquire, hold, convey and devise real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Morgan	Upham
Beckman	Cooley	Jones	Platt	VanSchoonhoven
Bennett	Cornell	Kirby	Rogers	Williams
Bristol	Davenport	McMurray	Snow	Wright

20

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Ulster county savings institution," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Jones	Morgan	VanSchoonhoven
Beckman	Cornell	Kirby	Snow	Williams
Bristol	Davenport	McMurray	Upham	Wright
Clark	Huntington			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorise the clerk of the county of Madison to remove the records and papers of the county, to the grand jury room, or some other suitable place," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Morgan	Upham
Beckman	Cooley	Jones	Platt	VanSchoonhoven
Bennett	Cornell	Kirby	Rogers	Williams
Bristol	Davenport	McMurray	Snow	Wright

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Bartlett, from the committee on railroads, to which was referred the Assembly bill entitled "An act relative to the Lewiston railroad," reported favorable to the passage thereof.

By unanimous consent,

The said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Platt	VanSchoonhoven
Bartlett	Cooley	Kirby	Rogers	Williams
Beekman	Cornell	McMurray	Snow	Wright
Bennett	Davenport	Morgan	Upham	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Cornell, from the select committee, to which was referred the bill entitled "An act relative to guardians and wards," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

The bill entitled "An act to amend the act entitled 'An act to incorporate Pacific mail steamship company,' passed April 12, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of the said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Jones	Platt	Upham
Beekman	Cooley	Kirby	Rogers	VanSchoonhoven
Bennett	Davenport	McMurray	Smith	Williams
Bristol	Huntington	Morgan	Snow	Wright 20

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise railroad corporations to construct branch tracks for freighting and other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Rogers	Upham
Bartlett	Clark	McMurray	Smith	Williams
Beekman	Cooley	Morgan	Snow	Wright
Bennett	Huntington	Platt		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for the safe keeping of records in Onondaga county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Morgan	Snow
Bartlett	Clark	Jones	Platt	Upham
Beekman	Cornell	Kirby	Rogers	Williams
Bennett	Davenport	McMurray	Smith	Wright

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The bill entitled "An act relating to the deaf and dumb," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	McMurray	Smith	VanSchoonhoven
Beekman	Davenport	Morgan	Snow	Williams
Bennett	Huntington	Platt	Upham	Wright
Bristol	Jones	Rogers		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to release the interest of the State in certain lands to Catharine W. Boyd."

"An act to amend 'An act to amend an act in relation to the incorporation of the village of Le Roy,' passed April 6th, 1852."

"An act to amend the act to establish a turnpike corporation for improving and making a road from the village of Newburgh on the Hudson river to Cohecton on the Delaware river."

"An act to amend the existing law relating to bribery."

"An act to amend the Revised Statutes in relation to courts of special sessions in, and to regulate the police of the town of Waterford, passed March 2, 1850."

"An act to extend the time allowed Pierre Joseph De Caters and others to hold and convey real estate."

"An act authorising the Canal Commissioners to build a bridge across the Main and Hamburgh street canal in the city of Buffalo, at Louisiana street."

"An act to release the interest of the people of the State in certain real estate in the county of Erie, to Erasta Ann Wright."

Ordered, That said bills do have their third reading.

The bill entitled "An act to amend the act entitled 'An act to amend an in relation to the incorporation of the village of Le Roy,' passed April 6, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Kirby	Rogers	VanSchoonhoven
Beekman	Davenport	Morgan	Smith	Williams
Bristol	Huntington	Platt	Upham	Wright
Clark	Jones			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the repeal of the act entitled 'An act providing for the registry of births, marriages and deaths,' passed April 28, 1847," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bristol	Davenport	Morgan	Smith	VanSchoonhoven
Cooley	Jones			

7

FOR THE NEGATIVE.

Babcock	Clark	Platt	Snow	Williams
Bartlett	Huntington	Rogers	Upham	Wright
Beekman				

11

The bill entitled "An act to extend the time allowed Pierre Joseph De Caters and others to hold and convey real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Rogers	VanSchoonhoven
Beekman	Cornell	Kirby	Smith	Williams
Bennett	Davenport	Morgan	Upham	Wright
Bristol	Huntington	Platt		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the Revised Statutes in relation to courts of special sessions in and to regulate the police of the town of Waterford, passed March 2, 1850," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beekman	Cornell	Kirby	Smith	VanSchoonhoven
Bristol	Davenport	Morgan	Snow	Williams
Clark	Huntington	Platt	Upham	Wright
Cooley	Jones	Rogers		18

Ordered, That the Clerk deliver the said bill to the Assembly and request their concurrence therein.

The bill entitled "An act authorising the Canal Commissioners to build a bridge across the Main and Hamburg street canal, in the city of Buffalo at Louisiana street," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Davenport	Morgan	Snow
Bartlett	Clark	Huntington	Platt	Upham
Beekman	Cooley	Jones	Rogers	VanSchoonhoven
Bennett	Cornell	Kirby	Smith	Williams
				20

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to consolidate and amend the several acts relative to the village of Batavia, to alter the bounds and to enlarge the powers of the corporation of said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Davenport	Morgan	Snow
Bartlett	Clark	Huntington	Platt	Upham
Beekman	Cooley	Jones	Rogers	VanSchoonhoven
Bennett	Cornell	Kirby	Smith	Wright
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the act to establish a turnpike corporation for improving and making a road from the village of Newburgh, on the Hudson river, to Cohecton on the Delaware river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Platt	Snow	
Bartlett	Clark	Jones	Rogers	Upham	
Beekman	Cooley	Kirby	Smith	Wright	
Bennett	Daveport	Morgan			18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Assembly bill, "An act to provide for the laying out and constructing a road from the town of Parishville to Long lake," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Platt	Upham	
Bartlett	Clark	Jones	Rogers	VanSchoonhoven	
Beekman	Cooley	Kirby	Smith	Wright	
Bennett	Daveport	Morgan	Snow		19

FOR THE NEGATIVE.

Cornell

Ordered, That the Clerk return said bill to the Assembly, with a message informing them that the Senate have passed the same without amendment.

The hour of a quarter to 2 p. m. having arrived,

The Senate took a recess to four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The Assembly bill, "An act authorising a tax upon the taxable inhabitants of the town of Esopus, for the payment of a judgment recovered against, and costs and expenses incurred by John W. Shultz, late overseer of the poor of the town of Esopus," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Otis	Snow
Bartlett	Cooley	Jones	Pierce	Upbam
Beekman	Cornell	Kirby	Platt	VanSchoonhoven
Bennett	Davenport	Morgan	Rogers	Williams
Bristol				

21

Ordered, That the clerk return said bill to the Assembly, with a message informing them that the Senate have passed the same without amendment.

The bill entitled "An act relative to guardians and wards," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Davenport	Morgan	Rogers
Bartlett	Clark	Huntington	Otis	Snow
Beekman	Cooley	Jones	Pierce	Upbam
Bennett	Cornell	Kirby	Platt	Williams

20

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The Assembly bill, "An act to regulate the fees for searches in the office of the clerk of the city and county of New-York," having been read a third time,

On motion, the same was recommitted to a select committee, consisting of Senators from the third, fourth, fifth and sixth districts, with power to report the same complete.

The bill entitled "An act to release the interest of the State in certain lands to Catharine W. Boyd," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Otis	Smith
Bartlett	Cooley	Kirby	Pierce	Snow
Beekman	Cornell	McMurray	Platt	VanSchoonhoven
Bennett	Davenport	Morgan	Rogers	Williams
Bristol	Huntington			

22

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release the interest of the people

of the State in certain real estate in the county of Erie, to Erasta Ann Wright," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Otis	Smith
Bartlett	Cooley	Kirby	Pierce	Snow
Beekman	Cornell	McMurray	Platt	VanSchoonhoven
Bennett	Davenport	Morgan	Rogers	Williams
Bristol	Huntington			22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New-York, to certain premises in Utica, Oneida county, to Jane Eliza De Klyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Otis	Smith
Bartlett	Cooley	Kirby	Pierce	Snow
Beekman	Cornell	McMurray	Platt	VanSchoonhoven
Bennett	Davenport	Morgan	Rogers	Williams
Bristol	Huntington			22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill, entitled "An act to confirm the title to certain lands situate in the town of Thompson in the county of Sullivan, in George Turner, jr., and James Turner," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Otis	Smith
Bartlett	Cooley	Kirby	Pierce	Snow
Beekman	Cornell	McMurray	Platt	VanSchoonhoven
Bennett	Davenport	Morgan	Rogers	Williams
Bristol	Huntington			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing them that the Senate have passed the same without amendment.

The bill entitled "An act to erect the town of Gardiner, in the county of Ulster," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative.

mative, a majority of the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	McMurray	Platt
Bartlett	Cooley	Jones	Otis	Smith
Beekman	Cornell	Kirby	Pierce	Snow
Bennett	Davenport			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Williams, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill, entitled "An act to supply the village of Watertown with pure and wholesome water and for other purposes," with power to report complete, so reported.

By unanimous consent, the said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Morgan	Rogers
Bartlett	Cooley	Jones	Otis	Smith
Beekman	Cornell	Kirby	Pierce	Snow
Bennett	Davenport	McMurray	Platt	Williams
Bristol				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

Mr. Bennett, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of Jefferson county, for a law declaring Indian river a public highway, reported, and asked and obtained leave to introduce a bill entitled "An act declaring Indian river a public highway for certain purposes."

By unanimous consent,

Said bill was recommitted to said committee, with power to report the same complete.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorise the town of Phelps, Ontario co., to raise money to pay C. A. Bloomer and F. C. Bloomer, for losses sustained by them in erecting a town house for said town," with power to report complete, so reported, and said bill ordered to a third reading.

By unanimous consent, the said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Morgan	Rogers
Bartlett	Cooley	Jones	Otis	Smith
Beckman	Cornell	Kirby	Pierce	Snow
Bennett	Davenport	McMurray	Platt	Williams
Bristol				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Platt, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to establish a ferry across Cayuga lake, from the village of Union Springs, in Cayuga county, to Fayette, in Seneca county," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Cherry Valley, in the county of Otsego,' passed June 8, 1812," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the act to incorporate the city of Oswego, passed March 24, 1848," with power to report complete, so reported, and said bill ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act in relation to the cemetery grounds of the Shearith Israel," with power to report the same complete, so reported, and said bill ordered engrossed for a third reading.

Mr. Beekman, from the select committee, to which was referred the bill entitled "An act for the better security of people crossing the ferries of the city and county of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, reported, and asked and obtained leave to introduce a bill entitled "An act to authorise the enrolment of the decrees of the late court of chancery," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act to provide for the building of a drawbridge across the Conjoacketies creek in the town of Black Rock, in the county of Erie, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Clark asked for and obtained leave to introduce a bill entitled "An act to amend an act for the incorporation of companies formed to navigate the ocean by steam, passed April 12, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice,

Mr. Cooley asked for and obtained leave to introduce a bill entitled "An act regulating the rate of interest on the loan or forbearance of money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Clark,

Resolved, That the Senate bill No. 188, entitled "An act to prevent the sale of intoxicating liquors as a beverage," be made a special order for consideration, in the committee of the whole, to-morrow, Tuesday, at 4 o'clock p. m.

At five minutes before 6 o'clock, p. m.

On motion of Mr. Cooley,

The Senate adjourned to 10½ o'clock to-morrow morning.

TUESDAY, MARCH 22, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Salisbury.

The journal of yesterday was read and approved.

Mr. Morgan presented the petition of citizens of the city of New-York, in favor of a bill in relation to the landing of emigrant passengers at the port of New-York, which was referred to the committee of the whole.

Mr. Morgan presented two remonstrances of merchants, ship owners and others, against the passage of a law in relation to landing emigrant passengers at the port of New-York, which was referred to the committee of the whole.

Mr. Beekman presented the petition of Abraham Duyea and others for the incorporation of the National Guard Institute, which was referred to the committee on militia and public defence.

Mr. Babcock presented the petition of citizens of Black Rock, in the county of Erie, for a law authorising the erection of a draw bridge over Conjoacketies creek, which was referred to the committee on roads and bridges.

Mr. Beekman called for the consideration of the resolution offered by him on the 19th inst., in relation to the reference and printing of the petition of Levinus Vanderheyden presented on that day, and certain affidavits mentioned in said petition.

Debate was had thereon, when
 Mr. Beekman withdrew his said call
 By unanimous consent,
 Mr. Beekman offered for the consideration of the Senate a resolution in the words following to wit :

Resolved, That the reports of the majority and of the minority of the commissioners heretofore appointed by the Senate, to investigate the pecuniary affairs of Union college, be referred to a committee of three members of the Senate, to investigate the matter specified in the Senate resolutions of June and July 1851, with power to send for persons and papers, and if necessary, to sit after the adjournment of the present session of the Senate ; and after a full and fair hearing of all parties and persons desiring to be heard before them, to report at the present or next session of the Senate, the results of their enquiries and their opinions thereon.

Debate was had thereon, when

At 12 o'clock, m.,

The President announced the special order to be an Executive session.

Mr. Cooley moved that the Senate resume Legislative business.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Morgan	Upham	Williams	
Beach	Cooley	Newcomb	VanSchoonhoven	Wright	
Beekman	McElwain	Platt	Ward		14

FOR THE NEGATIVE.

Bartlett	Cornell	McMurray	Pierce	Smith	
Bristol	Jones	Otis	Rogers	Snow	
Conger	Kirby				12

The President announced the business before the Senate to be on the resolution of Mr. Babcock under consideration at the hour for executive session.

Debate was had thereon, when

At a quarter to two o'clock, p. m.

The Senate took a recess until 4 o'clock, p. m.

AT FOUR O'CLOCK, P. M.

The Senate again met.

Mr. Morgan from the select committee of eight, reported the following bills as proper to be referred to select committees to report complete, which report was agreed to and said bills referred as follows :

"An act to render more perfect and equitable the laws concerning escheats, now in force in this State, and to derive revenue therefrom," to Messrs. Babcock, Jones and Vanderbilt.

"An act establishing a ferry across the Hudson river, from the south dock, at the upper landing, at Fort Montgomery, in the town of Cornwall, county of Orange, to a point on the easterly shore of said river near the northern extremity of the tunnel through Anthony's Nose, on the Hudson river railroad, in the town of Philipstown, county of Putnam," to Messrs. Jones, Pierce and Otis.

"An act to make the records of deeds of the town of Kingston, county records," to Messrs. Pierce, Babcock and Conger.

"An act to enable the supervisors of the city and county of New York, to raise money by tax," to Messrs. Morgan, Cooley and Beekman.

Assembly bill, "An act authorising the superintendent of common schools in the town of Homer, to sell certain school lands, and also to confirm the title of others in the towns of Cortlandville and Homer," to Messrs. Bristol, Cornell and Williams.

Assembly bill, "An act to release the interest of the people of the State, in certain real estate, of which Glasgow Walker died seized to Mary Ann Walker, his widow," to Messrs. Beekman, Wright and Rogers.

Assembly bill, "An act for the relief of George Kill," to Messrs. Munroe, Kirby and McElwain.

"An act to amend chapter 319, of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848," to Messrs. Beekman, Taber and Smith.

"An act to extend the time for completing the plank road of the Schenectady and Duanesburgh plank road company," to Messrs. Taber, Wright and Davenport.

"An act to authorise the superintendent of common schools to purchase Stryker's American Register for the common school districts of this State," to Messrs. Bennett, Bristol and McElwain.

"An act to amend 'An act to provide for the construction of a railroad from the head of Seneca lake to the New-York and Erie railroad in the county of Chemung,' passed May 14, 1845," to Messrs. Clark, Huntington and Bartlett.

"An act to amend an act passed March 16, 1850, relating to the village of Whitehall," to Messrs. Wright, Upham and Williams.

"An act for the relief of the president, directors and first company of the Great Western turnpike road," to Messrs. Bennett, Beach and Ward.

Assembly bill, "An act to amend 'An act for the preservation of health,' passed April 10, 1850," to Messrs. Babcock, Munroe and Kirby.

"An act to amend 'An act to authorise the formation of railroad

companies and to regulate the same,'” to Messrs. Williams, Bristol and Snow.

“An act to legalize and confirm a certain conveyance heretofore made by the ministers, elders and deacons of the Reformed Dutch church on the corner of Green and Houston streets in the city of New-York,” to Messrs. McMurray, Newcomb and Cooley.

“An act to confirm the title of Dennis Ford, to real estate conveyed to him by John Hart,” to Messrs. Cooley, Ward and Vanderbilt.

“An act for the relief of the president, directors and first company of the Northern turnpike road,” to Messrs. Wright, Van Schoonhoven and Rogers.

Assembly bill, “An act to provide for draining Fort swamp, in the town of Shelby, Orleans county,” to Messrs. Upham, Kirby and Clark.

“An act to define the boundaries between certain towns in the county of Essex,” to Messrs. Rogers, Smith and Wright.

“An act to incorporate the Ithaca water works company,” to Messrs. Williams, Davenport and Cornell.

“An act to authorise the commissioners of highways of the town of Stockport, in Columbia county, to open highways, &c., in said town, to Messrs. Otis, Bennett and Platt.

“An act to apply provisions of ‘An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference, passed April 16, 1852,’ to the Ithaca cotton mills company of Ithaca, Tompkins co,” to Messrs. Williams, Munroe and Bartlett.

“An act in relation to moneys levied by law on masters, mates, mariners and seamen arriving at the city and port of New-York,” to Messrs. Morgan, Beekman and Jones.

“An act to amend ‘An act to vest certain powers in the freeholders and inhabitants of the village of Cherry Valley, in the county of Otsego,’ passed June 8, 1812,” to Messrs. Bennett, Bartlett and Huntington.

“An act to authorise the enrolment of decrees of the late court of chancery,” to Messrs. Babcock, Morgan and Vanderbilt.

On motion of Mr. Vanderbilt, and by unanimous consent.

Resolved, That the resolution to amend the constitution be made the special order on Thursday next immediately after the reading of the journal, and that the same continue the special order during that day.

By unanimous consent,

Mr. Upham asked for and obtained leave to introduce a bill entitled “An act to amend an act entitled ‘An act to provide for the incorporation and regulation of telegraph companies,’ passed April 12, 1848,” which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee.

The President appointed Messrs. Upham, Cornell and Wright as such committee.

On motion of Mr. Van Schoonhoven, and by unanimous consent, *Resolved*, That the petition of L. Vanderheyden, with the accompanying papers, and the resolution asking the appointment of a select committee to examine and report at the next session of the Legislature, upon the report of the commissioners appointed to investigate the pecuniary affairs of Union college, together with the memorials of the president and trustees thereof, in answer, (this morning under consideration in the Senate,) be made a special order on Tuesday next at the opening of the afternoon session.

The Senate then resolved itself into a committee of the whole on the following entitled bill :

"An act to prevent the sale of intoxicating drinks as a beverage."

After some time spent thereon, the hour of 6, p. m. having arrived the committee arose, and the Senate adjourned to half past ten o'clock, a. m. to-morrow.

WEDNESDAY, MARCH 23, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Schmidt.

The journal of yesterday was read and approved.

Mr. Conger presented the remonstrance of merchants and others, against the passage of a bill entitled "An act for the protection of emigrant passengers arriving at the port of New-York," which was referred to the committee of the whole.

Mr. Cooley presented the remonstrance of citizens of Queens county, against the passage of a law authorising the removal of the court house in that county, which was referred to the committee of the whole.

Mr. Huntington presented the petition of citizens of Utica, for a law authorising the city to take stock in the Black river and Utica railroad, which was referred to the committee on the incorporation of cities and villages.

Mr. Ward presented the petition of citizens of Ellicottsville, Cattaraugus co., to have that village made a separate road district, which was referred to the committee on roads and bridges.

Mr. Ward presented the petition of citizens of Ellicottsville, for new assessment for certain purposes in said village, which was referred to the committee on the internal affairs of towns and counties.

Mr. Taber presented a resolution of the common council of the city of Schenectady, against the passage of a law authorising the division of said city, which was referred to the committee on the erection and division of towns and counties.

Mr. Taber presented the remonstrance of said common council against annexing parts of the third and fourth wards of said city, to the towns of Niskayuna and Rotterdam, which was referred to the committee on the erection and division of towns and counties.

Mr. Taber presented the remonstrance of the board of supervisors of the county of Schenectady, on the same subject, which was referred to the committee on the erection and division of towns and counties.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bill, to wit:

"An act to provide for certain expenses chargeable to the Canal Fund."

The President presented a report from the Commissioners of the Land Office, in reply to the resolution of the Senate adopted February 3, 1853, in relation to the purchase of a site for a Marine hospital at Sandy Hook, which was laid on the table and ordered printed.

A message from the Assembly was received and read, informing that they do non-concur in the passage of the following entitled bill:

"An act for the relief of owners of real estate in the city of New-York."

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bills:

"An act to amend an act entitled 'An act in relation to railroad corporations,' passed February 13, 1851."

"An act to apply the provisions of an act entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference, passed April 16, 1852,' to the Waterloo cotton company at Waterloo, Seneca county."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly bill, "An act to confirm the title to certain lands situate in the town of Thompson, in the county of Sullivan, in George Turner jr., and James Turner, was received back from the Assembly, with notice of concurrence by a two-third vote, not having received that vote on the first passage by that body as required.

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate to the bill entitled "An act to provide for the safe keeping of records in Onondaga county."

Ordered, That the Clerk return said bill to the Assembly.

The President announced the special order, it being the consideration of general orders.

Mr. Pierce moved to suspend the same, until after reports of committees.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the petition of citizens of the village of Ellicottsville, Cattaraugus co., for new assessment, &c., reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of the village of Ellicottsville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent,

Ordered, That the committee report said bill complete.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act relative to the Maspeth avenue and toll bridge company," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act to incorporate the Dunkirk savings bank," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend 'An act in relation to the trustees of the Cayuga academy,' passed April 1, 1844," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act authorising the Richmondville union seminary and female collegiate institute, to increase their capital stock," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Upham, from the committee on canals, to which was referred the bill entitled "An act to amend the act entitled 'An act to incorporate the Junction canal company,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act declaring Indian river a public highway for certain purposes," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Cooley, from the select committee, to which was referred the bill entitled "An act in relation to highways in the county of

Richmond," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Ward, from the committee on claims, to which was referred the petition of Ebenezer Murdock asking pay for buildings taken by the State at Lockport, reported, and asked and obtained leave to introduce a bill entitled "An act for the appraisement of canal damages to Ebenezer Murdock," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill, entitled "An act to amend the act incorporating the village of Sing Sing, in the county of Westchester, passed April 2, 1813, and the several acts amendatory thereto," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Cornell, from the committee on grievances, to which was referred the Assembly bill entitled "An act for the relief of Aaron T. Hopkins, Henry Hewett and Charles Russell, commissioners for the improvement of Rackett river," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorise the payment of money by the county of Columbia to the Hudson orphan relief asylum,' passed April 10th, 1851," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Beekman from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Syracuse home association," with power to report complete so reported, and said bill ordered to a third reading.

Mr. Morgan from the select committee to which was referred the bill entitled "An act to authorise the Salina, Liverpool and Clay plank road company, to abandon a part of their road," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Wright, from the select committee, to which was referred the bill entitled "An act to amend an act passed March 16, 1850, relating to the village of Whitehall," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Pierce, from the select committee, to which was referred the bill entitled "An act to make the records of deeds of the town of Kingston, county records," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Taber, from the select committee, to which was referred

the bill entitled "An act to incorporate the Albany and New Baltimore ship canal and basin company," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Jones from the select committee to which was referred the bill entitled "An act establishing a ferry across the Hudson river, from the south dock, at the upper landing, at Fort Montgomery, in the town of Cornwall, county of Orange, to a point on the easterly shore of said river, near the northern extremity of the tunnel through Anthony's Nose, on the Hudson river railroad, in the town of Philipstown, county of Putnam," with power to report complete, so reported.

Ordered, That said bill be laid on the table.

Mr. Taber from the select committee to which was referred the bill entitled "An act to extend the time for completing the plank road of the Schenectady and Duanesburgh plank road company," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Clark from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the construction of a railroad from the head of Seneca lake to the New-York and Erie railroad in the county of Chemung,' passed May 14th, 1845," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. McElwain from the select committee to which was referred the bill entitled "An act to authorise the superintendent of common schools, to purchase Stryker's American register for the common school districts of this State," with power to report complete, so reported.

Mr. Pierce moved to recommit said bill to the committee of the whole.

Debate was had thereon, when

Mr. Pierce withdrew his said motion.

Ordered, That said bill be engrossed for a third reading.

Mr. Clark, from the committee on roads and bridges, to which was referred the petition of citizens of Binghamton, for privilege of constructing a bridge across the Chenango river, reported, and asked and obtained leave to introduce a bill entitled "An act to authorise the building of a bridge across the Chenango river at Binghamton," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Platt, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend 'An act for the incorporation of companies formed to navigate the ocean by steamships,' passed April 12, 1852," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Wright, from the select committee, to which was referred

the bill entitled "An act for the relief of the president, directors and first company of the Northern turnpike road," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Beekman, from the select committee, to which was referred the Assembly bill entitled "An act to release the interest of the people of this State in certain real estate of which Glasgow Walker died seized to Mary Ann Walker his widow," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Munroe, from the select committee, to which was referred the Assembly bill entitled "An act to release to James Knox and William Knox, the interest of the State in certain bonds and mortgages," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bristol, from the select committee, to which was referred the Assembly bill entitled "An act authorising the superintendent of common schools in the town of Homer, to sell certain school lands and also to confirm the title of others in the towns of Cortlandville and Homer," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Clark, from the select committee, to which was referred the bill entitled "An act to authorise the commissioners of highways of the town of Livingston, in the county of Columbia, to build a bridge over the Roeliff Johnson Kill creek in said town of Livingston, and to provide for the payment of the expenses thereof," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act to authorise the enrolment of decrees of the late court of chancery," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act to render more perfect and equitable the laws concerning escheats now in force in this State, and to derive revenue therefrom," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Clark, from the select committee, to which was referred the bill entitled "An act to amend an 'Act to provide for the incorporation of companies to construct plank roads and of companies to construct turnpike roads,' passed May 7, 1847, and the acts amendatory thereof," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Rogers, from the select committee, to which was referred the bill entitled "An act to define the boundaries between certain towns in the county of Essex," to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Newcomb, from the select committee, to which was referred the bill entitled "An act to authorise the corporation of the Second street Methodist Episcopal church in the city of New-

York, to hold certain lands for the purpose of a cemetery," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. McMurray, from the select committee, to which was referred the bill entitled "An act to legalize and confirm a certain conveyance heretofore made by the miniater, elders and deacons of the Reformed Dutch church on the corner of Green and Houston streets in the city of New-York," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Upham, from the select committee, to which was referred the Assembly bill entitled "An act to provide for draining Fort swamp, in the town of Shelby, Orleans county," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Upham, from the select committee to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

The bill entitled "An act requiring canal superintendents to publish monthly abstracts of their official disbursements," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent,

Mr. Jones asked for and obtained leave to introduce a bill entitled "An act for the relief of George W. Killam, and Emily Killam Miles," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, with power to report complete.

By unanimous consent,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act to authorise the city of Buffalo to loan its bonds to the Buffalo and Pittsburgh railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to authorise the formation of railroad corporations and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act making an appropriation for building a bridge across the west branch of the Hudson river in Warren county."

"An act for the payment of canal damages to Elisha Stillwell and Benjamin Smith."

"An act for the improvement of the Ausable river, Essex county."

And after some time spent thereon, the president resumed the chair, and at a quarter to two o'clock p. m. announced the recess.

FOUR O'CLOCK, P. M.

The Senate again met.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill:

"An act to authorise the consolidation of certain railroad companies."

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Bushwick and Newtown bridge and turnpike road company,' passed April 26, 1836," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Franklin bridge company," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act concerning foreign bank notes,' which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Huntington asked for and obtained leave to introduce a bill entitled "An act authorising the common council of the city of Utica, to borrow twelve thousand dollars in anticipation of the appropriation made by Congress to aid in the erection of a city hall in Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Otis asked for and obtained leave to introduce a bill enti-

led "An act extending the time for the collection of taxes when stayed by injunction or otherwise," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the internal affairs of towns and counties, to report complete.

The Senate again resolved itself into a committee of the whole on the three several bills acted upon before the recess.

And after some time spent thereon, Mr. Huntington, from said committee, reported in favor of the passage of said bills with amendments, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to provide for the education of the children of the Indians of the Tonawanda Indian reservation in the county of Genesee."

"An act to authorise the Canal Commissioners to build a bridge across the Clark and Skinner canal at Perry street, in the city of Buffalo."

"An act to incorporate the New-York livestock insurance company."

And after some time spent thereon, Mr. Platt, from said committee, reported that they had agreed to said first two mentioned bills without amendment, and to the third mentioned bill with an amendment, which report was agreed to.

Ordered, That said first mentioned bill do have its third reading.

Ordered, That said second and third mentioned bills be engrossed for a third reading.

By unanimous consent,

The bill entitled "An act to amend an act entitled 'An act concerning foreign bank notes,' having been read a third time,

Mr. Babcock moved to recommit said bill to the committee on banks and insurance companies, with instructions to strike out the enacting clause.

Debate was had thereon, when

The hour of six o'clock p. m., having arrived,

The Senate adjourned to 10½ o'clock to-morrow morning.

THURSDAY, MARCH 24, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Salisbury.

The journal of yesterday was read and approved.

A bill was received from the Assembly for concurrence, entitled "An act confirming the official acts of Isaac W. Pelletreau, of the

town of Brookhaven, county of Suffolk, as justice of the peace, and extending the time in which he may take the oath of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the New-York dry dock company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies, to report complete.

The President announced the special order, it being the consideration of Mr. Vanderbilt's resolution, amending the constitution, &c.

The Senate then resolved itself in committee of the whole on said resolution.

And after some time spent thereon, Mr. Jones, from said committee, reported progress, and asked for and obtained leave to sit again.

By unanimous consent,

On motion of Mr. Vanderbilt,

Said resolution was made a special order for Saturday next, immediately after the reading of the journal.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bills:

"An act for investigating and determining the claim of George M. Tibbits and James Forsyth, by the Canal Board."

"An act to authorise a change in the location of the clerk's office of Cattaraugus county."

Ordered, That the clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to provide for free schools in the village of Waterloo," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act, entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9th, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to annex that portion of the highway lying between Broadway, in the city of Albany, and the Watervliet turnpike, to said turnpike," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act, entitled 'An act to provide for laying

out and opening a road from Clinton county, to Carthage, in Jefferson county,' passed April 16, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to authorise school districts in the towns of this State to raise money to pay librarians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act further to amend an act, entitled 'An act to amend the act incorporating the East River mutual insurance company, and to change its name,' passed 18th March, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to amend title one, of chapter twenty, of the first part, of the Revised Statutes, entitled of the relief and support of indigent persons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence, entitled "An act to divide the Eighteenth ward of the city of New-York, into two wards," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the Oswego canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The President announced the order of business to be the presentation of petitions.

Mr. Morgan presented the remonstrance of residents of Staten Island, against the proposed change in the organization of the marine hospital, which was laid on the table.

Mr. Bennett presented the petition of citizens of Chenango county, for a law to restore Peter Whitman to rights of citizenship, which was referred to the committee on the judiciary.

Mr. Platt presented the remonstrance of property owners in Brooklyn, against the bill authorising the extension of docks, as proposed by D. Richards and others, which was referred to a select committee.

Mr. McElwain, from the committee on agriculture, to which was referred the Assembly bill, entitled "An act to facilitate the forming of agricultural, horticultural and poultry societies," reported the same for the consideration of the Senate, with an amendment to the title thereof, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill, entitled "An act for the relief of the president and directors of the Williamsburgh turnpike road and bridge company," with power to report complete, so reported; which report was agreed to, and said bill ordered to a third reading.

Mr. Platt, from the committee on commerce and navigation, to which was referred the petition and bill, entitled "An act to amend chapter 478, of the Laws of 1851, entitled 'An act to regulate the taking and planting of oysters in the Harlaem river,'" reported the said bill for the consideration of the Senate, which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act authorising the common council of the city of Utica to borrow twelve thousand dollars, in anticipation of the appropriation made by Congress, to aid in the erection of a city hall in Utica," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to extend the time for a compliance by the Albany and Susquehanna railroad company with the 47th section of the general railroad act."

"An act for the better support of the poor in the town of Newburgh, in the county of Orange."

Mr. Pierce, from the committee on canals, to which was referred the Assembly bill entitled "An act requiring canal superintendents to publish monthly abstracts of their official disbursements," reported in favor of the passage thereof without amendment.

By unanimous consent,

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babeock	Davenport	McElwain	Pierce	Upham
Bennett	Huntington	McMurray	Rogers	Williams
Bristol	Jones	Morgan	Snow	Wright
Conger	Kirby	Otis		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

By unanimous consent,

The bill entitled "An act relative to common schools in the city of New-York," was ordered to a third reading.

By unanimous consent,

The said bill was then amended as follows:

In the sixth line of section seven, strike out the words "herein

before appointed," and insert, "which the public school society now are, or may be authorised to appoint, and after the expiration of the term for which they shall have been appointed." Also, after the word "school," in the forty-first line of section nine, insert the words "or schools." Also, in section sixteen, after the word "four," in line two, insert "thirteen and fifteen."

By unanimous consent,

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Newcomb	Taber
Bartlett	Cornell	McElwain	Otis	Vanderbilt
Bennett	Davenport	McMurray	Platt	Ward
Bristol	Huntington	Morgan	Snow	Wright
Conger	Jones			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

The bill entitled "An act to refund certain money to Christiana Webber, improperly paid by her to the State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Platt	Vanderbilt
Bartlett	Davenport	McMurray	Rogers	Ward
Bennett	Huntington	Newcomb	Snow	Williams
Bristol	Jones	Otis	Taber	Wright
Conger	Kirby			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

The bill entitled "An act to incorporate the Albany and New Baltimore ship canal and basin company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Platt	Upham
Bartlett	Davenport	McMurray	Rogers	Vanderbilt
Bennett	Huntington	Morgan	Snow	Williams
Bristol	Jones	Newcomb	Taber	Wright
Conger	Kirby	Otis		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the resolution and memorial of board of supervisors of Putnam county, for reimbursement of expenses incurred by said county, in the trial of Wm. Somers, for murder, by Dutchess county, reported, and asked for and obtained leave to introduce a bill entitled "An act for the reimbursement to counties of the expenses of criminal proceedings in certain cases," which was read the first time, and by unanimous consent, was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill, entitled "An act to amend article one, title two, chapter three, part one of the Revised Statutes, of the custody and government of State prisons, &c.," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorise the Emanuel congregation of the city of New-York, to hold, grant and convey real estate," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill, entitled "An act confirming the official acts of Jesse W. Pelletreau, of the town of Brookhaven, in the county of Suffolk, as justice of the peace, and extending the time in which he may take the oath of office," reported favorably to the passage thereof without amendment.

By unanimous consent,

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill, entitled "An act to amend an act entitled 'An act to authorise a part of the records of the counties of Ontario and Steuben, to be transmitted and deposited in the clerk's office of the county of Yates,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition and papers for a law to enable Maria Vincenta Rodriguez, an alien, to hold, grant, and convey real estate, &c., reported, and asked, and obtained leave to introduce a bill, entitled "An act to enable Maria Vincenta Rodriguez, an alien, to hold, grant and convey certain real estate, or interest therein, and to appoint her trustee under the will of Vincenta Rodriguez," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

The Assembly bill entitled "An act to amend an act entitled

'An act to incorporate the city of Oswego,' passed March 24, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	McMurray	Platt	Upham
Bennett	Huntington	Morgan	Rogers	Vanderbilt
Bristol	Jones	Newcomb	Snow	Williams
Conger	Kirby	Otis	Taber	Wright
Cooley	McElwain			

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

The bill entitled "An act declaring the Indian river a public highway," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bristol	Huntington	McMurray	Platt	Vanderbilt
Conger	Jones	Morgan	Snow	Williams
Cooley	Kirby	Newcomb	Upham	Wright
Davenport	McElwain	Pierce		

18

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

The bill entitled "An act to authorize the formation of companies for ferry purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Pierce	Upham
Bartlett	Huntington	Morgan	Platt	Vanderbilt
Conger	Jones	Newcomb	Rogers	Ward
Cornell	Kirby	Otis	Snow	Wright

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act for the relief of the village of Ellicottsville," with power to report

complete, so reported, and said bill was ordered engrossed for a third reading.

On motion of Mr. Cornell, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the "Act to provide for the instruction of common school teachers," and that the same be referred to a select committee with power to report complete.

The President appointed Messrs. Cornell, McElwain and Wright, as such committee.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Bushwick and Newtown bridge and turnpike road company,' passed April 26, 1836," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to incorporate the Franklin bridge company," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for laying out and opening a road from Clinton county to Carthage, in Jefferson county,' passed April 16, 1852," with power to report complete, so reported, and said bill was ordered to a third reading.

M. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend the several acts relating to the Cayuga creek road in the county of Erie, passed March 29, 1848, March 27, 1849, and June 20th, 1845," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the select committee to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to vest certain powers in the freeholders and inhabitants of the village of Cherry Valley, in the county of Otsego,' passed June 8, 1812," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for the extension of the draining of the Black creek or Crosier swamp in the county of Ulster," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Ward, from the select committee, to which was referred the bill entitled "An act for the relief of Relief lodge number sixty-one, in the village of Tonawanda," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Bartlett, from the committee on railroads, to which was

referred the bill entitled "An act to amend chapter 140, of the Laws of 1850, and to provide for the better regulation of railroads and the security of the lives of passengers," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act for investigating and determining the claim of George M. Tibbits and James Forsyth, by the Canal Board."

"An act to authorise a change of the location of the clerks office in Cattaraugus county."

On motion of Mr. McElwain, and by unanimous consent,
Resolved, That the committee of the whole be discharged from the consideration of the bill No. 204, authorising the board of supervisors in the county of Wyoming, to fix and determine the salary of the clerk of said county, and that it be ordered to a select committee to report complete.

The President appointed as such committee, Messrs. McElwain, Clark and Upham.

At a quarter to two o'clock, p. m., the Senate took a recess.

AT FOUR O'CLOCK, P. M.

The Senate again met.

The President directed the roll to be called, when the following Senators answered to their names, to wit: Messrs. Conger, Huntington, Morgan, Newcomb and Platt.

Mr. Huntington moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then adjourned until 10½ o'clock to-morrow morning.

FRIDAY, MARCH 25, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Salisbury.

The journal of yesterday was read and approved.

Mr. Morgan presented the memorial of residents of Staten Island against restoring the office of physician to Marine hospital, which was laid on the table.

The President announced the special order, it being the consideration of general orders.

Mr. Vanderbilt moved to postpone the same until after reports of committees.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to enable Mary E. Noyes to change her name, and declaring her to be the heir at law of Ogden Dorrington," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to punish gross frauds and to suppress mock auctions," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to lands held in trust by Theodoric Romeyn Beck, for the benefit of Pierre Van Cortlandt and wife, and their descendants," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition of Henry Overing, of Westchester co., for reimbursement of expenditures in defence of a litigation against him by the Attorney General, in the name of the people of this State, for lands in Delaware county," reported adversely, and moved that the prayer of the petitioner be not granted.

Mr. Conger moved that said report and motion be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition of Mary Large, Philip Hewson and Ann Hewson, aliens, residing in Niagara co., for right to receive and hold certain property estate, of which Henry Gross died seised, reported, and asked and obtained leave to introduce a bill entitled "An act for the relief of Mary Large and Ann Hewson," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to enable Bernardo Escorehuela to hold real estate," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to disputed wills," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorise school districts in the towns of this State, to raise money to pay librarians," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to provide for free schools in the village of Waterloo," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill, entitled "An act to amend the act entitled 'An act to amend the several acts incorporating the village of Oswego, in the county of Tioga,' passed April 9, 1851," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Snow, from the committee on medical societies and colleges, to which was referred the memorial of Jonathan Sturges and others, citizens of the city of New-York, for an act to incorporate the New-York homeopathic association, reported, and asked and obtained leave to introduce a bill entitled "An act to incorporate the New-York Homeopathic association," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt from the select committee to which was referred the bill entitled "An act to confirm certain sales and conveyances of real estate in the county of Kings, made by Thomas G. Talmadge as loan commissioner," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Vanderbilt, from the select committee, to which was referred the bill entitled "An act to authorise the clerk of Kings county to record the assignments of a certain mortgage," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act relative to city improvements and assessments therefor in the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bill:

"An act to authorise the city of Oswego to convey by deed certain lots in the market block in said city."

Ordered, That the clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to encourage and promote medical enquiry and investigation and for the better protection of burying grounds and cemeteries," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on medical societies and colleges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of William Hermance and the heirs of John Vanderpool," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the town superintendents of common schools of the towns of Lee and Auriesville, in the county of Oneida, to appraise and make distribution of certain school district property in said county," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on literature, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to provide for building a bridge across the Tonawanda creek at or near where the road commonly called the Bear Ridge road intersects the road along the northerly side of said creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to establish a free school in district number three, in the town of Cherry Valley," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act providing for the registry of births, marriages and deaths,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act incorporating the village of Schuylerville, and to extend its boundaries," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled

"An act to amend an act entitled 'An act to equalise taxation, passed May 13, 1846,' which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the internal affairs of towns and counties, to report complete.

Mr. Babcock moved to reconsider the vote on referring to the committee on the internal affairs of towns and counties.

Debate was had thereon, when

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Otis	Williams	
Beekman	Cornell	Newcomb	Platt		9

FOR THE NEGATIVE.

Bartlett	Huntington	McMurray	Snow	Vanderbilt	
Conger	Jones	Pierce	Taber	Wright	
Davenport	Kirby	Rogers	Upham		14

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Henrietta Petford," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the city of Oswego to take stock in railroads and to sell its bonds to provide for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the construction of a bridge across the Oneida river at Caughdenoy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act incorporating the village of Plattsburgh, passed April 26, 1851, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to repeal sections nine, eleven, thirteen, fourteen, and part of section ten, and section fifteen, of title four, part one, chapter thirteen of the Revised Statutes, entitled "regulations concerning the assessments of taxes on incorporated companies and the commutation thereof," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to enlarge the powers of the trustees of the village of Holley respecting highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act to incorporate the young men's association for mutual improvement in the city of Albany, passed March 1835," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Canal Commissioners to build a bridge across the Erie canal in the village of Tonawanda," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to constitute the village of Vernon, Oneida county, a separate road district," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act declaring the village of Adams a valid corporation to enlarge its powers and to make said village a separate district," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the internal affairs of towns and counties, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act to authorise the settlement of the claims of this State against the bail of the late county treasurer of the county of Onondaga,' passed April 10, 1849," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on grievances, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to construct certain roads from the settlements in Lewis county, to Brown's tract, in Herkimer county," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Williamsburgh water works company,' passed April 16, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered, the following entitled bill:

"An act for the relief of Levi Hurlburt and Charles Vroman."

The amendments to said bill made by the Assembly having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Kirby	Otis	Upbam
Beekman	Cornell	McElwain	Platt	Vanderbilt
Bennett	Davenport	McMurray	Rogers	Williams
Bristol	Huntington	Morgan	Snow	Wright
Conger	Jones	Newcomb	Taber	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing, that the Senate have concurred in their amendments thereto.

The President presented a communication and report from the Attorney General, in reply to a resolution of the Senate at its last session, in relation to clerical force in his office, &c., which was laid on the table and ordered printed.

Also, the report of the Auditor of the Canal Department, in reply to a resolution of the Senate adopted March 19, inst., calling for a copy of the complaint and charges against canal superintendents the past year.

Mr. Wright offered the following, in relation to said report :

Resolved, That two thousand extra copies of the report of the Auditor, on the charges preferred against certain superintendents, be printed for the use of the legislature.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the Recorder's court of the city of Buffalo,'" with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act

to amend the charter of the New-York dry dock company," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act further to amend an act entitled 'An act to amend the act incorporating the East river mutual insurance company and to change its name,' passed March 18, 1848," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, reported a bill entitled "An act relative to the Auditor of the Canal Department, so as to make the Auditor elective by the people of this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Taber, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act to incorporate the young men's association for mutual improvement in the city of Albany, passed March 12, 1835," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Huntington, from the select committee, to which was referred the Assembly bill entitled "An act to authorise the New London plank road company to abandon a part of their road," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Snow asked for and obtained leave to introduce a bill entitled "An act to amend the act in relation to the support of the poor in the county of Montgomery," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on poor laws.

The Senate then resolved itself into a committee of the whole on the following entitled bills :

"An act to amend chapter 382, of the Laws of 1849, entitled 'An act to amend chapter 480, of the Laws of 1847, entitled 'An act relative to the office of town superintendent of common schools and amendatory of the Revised Statutes, entitled 'of public instruction,' passed April 11, 1849.'"

"An act to provide for the better supervision and regulation of railroads."

"An act to amend title six, of chapter seven, of part one of the Revised Statutes."

And after some time spent thereon, Mr. Cornell, from said committee, reported in favor of the passage of said first mentioned bill without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Cornell, from said committee, reported progress on said second and third mentioned bills, and asked leave to sit again.

The President announced the question on granting leave to sit again on second mentioned bill, when

Mr. Babcock offered the following resolution :

Resolved, That the bill entitled "An act to provide for the better supervision and regulation of railroads," be recommitted to the committee on railroads, with instructions to inquire into the expediency of amending the same, by providing for railroad corporations additional powers to make by-laws and regulations for the conduct of its officers, employers and servants, and to enforce the same by suitable penalties.

Debate was had thereon, when

At a quarter to two o'clock, p. m., the Senate took a recess.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Huntington presented the petition of citizens of Vernon, asking that said village be a separate road district, which was referred to the committee on roads and bridges.

By unanimous consent,

Mr. Bennett, from the select committee, to which was referred the bill entitled "An act for the relief of the president, directors and first company of the Great Western turnpike road," with power to report complete, so reported, and said bill was ordered engrossed to a third reading.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bills:

"An act to amend an act entitled 'An act to incorporate the New-York and Montgomery mining company.'"

"An act declaring the Indian river a public highway."

Ordered, That the Clerk deliver said bills to the Governor.

By unanimous consent,

Mr. Cornell, from the committee on grievances, to which was referred the Assembly bill entitled "An act to amend the act entitled 'An act to authorise the settlement of the claims of this State against the bail of the late county treasurer of the county of Onondaga,' passed April 10, 1849," with power to report complete, so reported, and said bill was ordered to a third reading.

The President announced the special order it being the consideration of the resolution offered by Mr. Babcock on the 22d inst., in relation to the appointment of a committee of three to make further investigation of affairs of Union college, and report thereon as provided by a resolution of Mr. Van Schoonhoven, of the same date.

Debate was had thereon, when

Mr. Van Schoonhoven moved that said resolution of Mr. Bab-

cock be made a special order for Monday next at four o'clock, p. m.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

At six o'clock, p. m.,

The Senate adjourned until 10½ o'clock a. m. to-morrow.

SATURDAY, MARCH 26, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Schmidt.

The journal of yesterday was read and approved.

The President announced the special order, it being the consideration of Mr. Vanderbilt's concurrent resolutions, for an amendment of the Constitution, &c.,

On motion of Mr. McMurray, and by unanimous consent,

The said special order was postponed until after the presentation of petitions.

Mr. McMurray presented the petition of citizens of New-York, for opening the Bowery and Sixth Avenue, which was referred to a select committee of Senators from the third, fourth, fifth and sixth districts.

Mr. Cooley presented the petition of citizens of New-York and vicinity, relative to the passage of a law regulating the landing of emigrants in the city of New-York, which was referred to the committee on commerce and navigation.

Mr. Munroe presented the petition of citizens of Geddes, Onondaga county, to sell their burying ground, &c., which was referred to the committee on charitable and religious societies.

Mr. Morgan presented petitions of citizens of New-York, for laying out and extending a street from the Bowery to the Battery, and also Sixth Avenue to the Battery, &c., which was referred to a select committee of Senators from the third, fourth, fifth and sixth districts.

Mr. Beekman presented the petition of citizens of New-York, on the same subject, which was referred to a select committee of Senators from the third, fourth, fifth and sixth districts.

Mr. Upham presented the petition of trustees of the Auburn woolen company, for a law to facilitate the dissolution of said company, which was referred to the committee on the judiciary.

Mr. Babcock presented the memorial of the common council of the city of Buffalo, for a reappropriation of certain moneys to the construction of the Erie basin, which was referred to the committee on canals.

Mr. Babcock presented the memorial of Aurora academy, for

an appropriation from the United States Deposit Fund, to pay for the instruction of thirty-one scholars in common school teaching, which was referred to the committee on literature.

Mr. Morgan presented the memorial of the rector, church wardens and vestrymen of Trinity church in the city of New-York, respecting the petition of C. C. Kiersted, presented to the Senate on the 24th inst.

On motion of Mr. Morgan, and by unanimous consent,

Resolved, That the same be printed at the expense of the memorialists, without reference to the printing committee.

By unanimous consent,

Mr. Bristol asked for and obtained leave to introduce a bill entitled "An act to make the village of Silver Creek a separate road district," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Bristol asked for and obtained leave to introduce a bill entitled "An act to make the village of Ellicottsville a separate road district," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Taber asked for and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes as amended by the Laws of 1848, in relation to proceedings to compel the determination of claims to real property in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Taber asked for and obtained leave to introduce a bill entitled "An act to release the interest of the people of this State in lands acquired by escheat on the death of James Scrimgeour, late of the city of New-York, to Elizabeth Scott and Catharine Scrimgeour," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Munroe asked for and obtained leave to introduce a bill entitled "An act to authorise the trustees of the village of Geddes to sell their cemetery grounds, and to remove the remains of the dead buried therein, to a new burying ground," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A message from the Assembly was received and read, informing that they do concur in the amendments of the Senate to the bill

entitled "An act to amend the act entitled 'An act to incorporate the city of Oswego,' passed March 24, 1848."

Ordered, That the Clerk return said bill to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act making appropriations for the payment of certain State bonds and interest on certain State stocks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Canal Appraisers to examine the claim of Lauren Seymour and others, for damages sustained in consequence of the destruction of a dam on the Oneida river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

The Senate then resolved itself into a committee of the whole on the concurrent resolutions of Mr. Vanderbilt, for an amendment of the Constitution, for the completion of canals, &c.

And after some time spent thereon, Mr. Jones, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Vanderbilt,

Said resolutions were made a special order for Monday next at eleven o'clock, a. m.

At a quarter before 2 o'clock p. m.,

The Senate took a recess until 4 o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to confirm the title to certain lands in the town of Thompson, in the county of Sullivan, in George Turner, jr., and James Turner."

"An act to authorise the city of Oswego to convey by deed certain lots in the market block in said city."

"An act requiring canal superintendents to publish monthly abstracts of their official disbursements."

"An act to amend an act to incorporate the New-York and Montgomery mining company."

A message from the Assembly was received and read informing that they had passed, without amendment, the following entitled bills:

"An act to authorise the laying out and opening a public highway in the village of Canandaigua county of Ontario."

"An act to authorise John Fisher to sell and convey real estate, and to release the interest of the people of this State in certain lands in Wyoming county."

"An act further to amend the charter of the village of Albion."

"An act to amend the sixteenth chapter, of the first part of the Revised Statutes."

"An act for the relief of consolidated school district No. 7, in the town of Sherburne, county of Chenango."

"An act to enable the Staten Island railroad company to own and run steam ferry boats."

"An act to regulate the construction of roads and streets across railroad tracks."

Ordered, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the removal of certain books, records and papers from the office of the Surrogate of the city and county of New-York, to the office of the Surrogate of the county of Ulster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act declaring the river Saranac a public highway,'" was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the internal affairs of towns and counties, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act relating to debts contracted by women before marriage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act to incorporate the New-York State and national law school," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Firemen's benevolent association of the village of Le Roy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the establishment of Indian schools upon the Cattaraugus and Allegany reservations in this State, for the instruction of Indian children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the junior New-York journeyman ship wright and caulkers' benevolent association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act to consolidate the several school districts in the village of Pulaski into one district, and to provide for a school therein, and to amend the act entitled 'An act to incorporate the village of Pulaski, in the county of Oswego,' passed April 10, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Canal Commissioners to construct a road bridge over the Oswego canal in the village of Phoenix," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the village of Mount Morris,' passed May 2, 1835," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to enable the Salmon river plank road company to sell parts of their road to the Pulaski and Selkirk plank road company, and to abandon and discontinue a portion of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of the Binghamton church in the village of Binghamton, and to legalize its acts," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to consolidate and amend an act entitled 'An act to incorporate the village of Clinton, passed April 12, 1843,' and the various acts amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled

"An act to incorporate the De Veaux college for orphan and destitute children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act relative to the incorporation of colleges and academies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the punishment of crimes in certain cases, and allowing the confinement of certain criminals in the Albany county penitentiary," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of assessors for enrolling the militia in the year 1852," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on militia and public defence, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to require the board of supervisors of Oswego county, to lay a tax upon the towns of Schroepfel and Granby, for repairs of the free bridge at Hinmansville, in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Western New-York live stock insurance company,' passed April 15, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

A bill was received from the Assembly for concurrence, entitled "An act for the construction of a work house in the county of Monroe," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on State prisons, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to repeal an act entitled 'An act in relation to draining certain lands in the towns of Manlius, Dewitt and Cicero, in the county of Onondaga,' passed March 3, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the supervisors of Seneca county, to levy a tax upon the town of Fayette, to pay the balance due for rebuilding a bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act extending the boundaries and amending the charter of the village of Ogdensburgh,' passed June 20, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Jones, from the committee on claims, to which was referred the Assembly bill entitled "An act authorising the Canal Appraisers to examine the claim of Lauren Seymour and others, for damages sustained in consequence of the destruction of a dam on the Oneida river," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to constitute the village of Vernon, Oneida county, a separate road district," with power to report complete, so reported, and said bill ordered to a third reading.

Mr. Bartlett, from the committee on poor laws, to which was referred the bill entitled "An act to amend the act in relation to the support of the poor in the county of Montgomery," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to authorise the trustees of the village of Geddes, to sell their cemetery grounds, and to remove the remains of the dead buried therein, to a new burying ground," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Clark from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorise the construction of draw bridges over the Flushing and Newtown creeks in the counties of Kings and Queens," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the memorial of the marine society of the city of New-York, asking for amendment of charter, reported, and asked and obtained leave to introduce a bill, entitled "An act to amend the charter of the Marine society of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Williams, from the select committee, to which was referred the bill entitled "An act to apply the provisions of an act entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference, passed April 16, 1852,' to the Ithaca cotton mills company at Ithaca, Tompkins county," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Williams, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorise the formation of railroad companies and to regulate the same,'" with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. McElwain, from the select committee, to which was referred the bill entitled "An act authorising the board of supervisors in the county of Wyoming, to fix and determine the salary of the clerk of said county," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. McElwain, from the select committee, to which was referred the bill entitled "An act to provide for the instruction of common school teachers," with power to report complete, so reported.

Mr. Munroe moved to strike out the amendment made by said committee, to said bill.

Debate was had thereon, when

Mr. McElwain called for the ayes and noes.

Mr. President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Huntington	McMurray	Upham	
Beekman	Clark	Kirby	Munroe	Vanderbilt	
Bennett	Davenport				12

FOR THE NEGATIVE.

Conger	McElwain	Rogers	Williams	Wright	
Jones	Morgan	Taber			8

Mr. Wright moved to amend, by striking out the words "one or more" in the third line, and inserting the word "the;" also in the fourth line, after the word "academies," "in each county;" and after the word "State," strike out "as the Regents of the University shall designate."

Mr. Conger offered the following amendment, to the amendment offered by Mr. Wright:

Insert in lieu of the words "as the Regents of the University shall designate," the words "who shall on or before the first day of October, in each year, give notice of their intention to form a class for common school teachers, under the provisions of this act."

Mr. Wright accepted of said amendment of Mr. Conger.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said amendment as amended, and it was decided in the negative.

Mr. Wright then moved to strike out the figures "25," in the fifth line of the first section in said bill as reported by the select committee, and insert the figures "15."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Taber then offered the following amendment:

After the word "pursued" at the end of the fourth line in the second section, add as follows: "by a class previously designated and instructed as common school teachers; and the said trustees believe, intend in good faith, to follow the said occupation."

Debate was had thereon, when

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of said committee as amended, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Munroe, from the select committee, to which was referred the Assembly bill entitled "An act for the relief of George Kill," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Upham offered for the consideration of the Senate, a resolution in the words following to wit:

Resolved, (If the Assembly concur,) That the Secretary of State be directed to cause all the laws in force in this State, relating to the support of the poor, to be collected and published in pamphlet form, with such notes and explanations as in his opinion are necessary for the understanding of the same; that he cause five thousand copies of the same to be printed, of which he shall distribute one copy to each town clerk, clerk of the board of supervisors, and superintendent of the poor in this State, through the clerks of the several counties, and the remaining copies shall be held by him subject to the direction of the legislature.

Ordered, That said resolution be laid on the table.

By unanimous consent,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to enable the children of Cecilia De Nottbeck to take and hold real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. McElwain asked for and obtained leave to introduce a bill entitled "An act for the relief of consolidated school district No.

10, in the town of Warsaw, county of Wyoming," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on literature, to report complete.

Mr. Beekman gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to authorise Algernon S. Jarvis to use girders and posts of wood in the construction of a building in the city of New-York;" also, "An act to amend an act for the more effectual prevention of fires in the city of New-York, and to amend the acts heretofore passed for that purpose, passed March 7, 1849."

Mr. Munroe gave notice that he would, at an early day, ask leave to introduce a bill to authorise the directors of the Jordan and Skaneateles plank road company to erect an additional gate.

The bill entitled "An act concerning the mayor of the city of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock.	Bristol	Davenport	McElwain	Upham
Bartlett	Clark	Huntington	Munroe	Vanderbilt
Beekman	Conger	Jones	Taber	Williams
Bennett	Cooley	Kirby		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

At six o'clock, p. m.,

The Senate adjourned until Monday morning at 10½ o'clock.

MONDAY, MARCH 28, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The journal of Saturday was read and approved.

Mr. Clark presented the petition of citizens of Bristol, Ontario county, for a law authorising highway labor to be expended on the plank road in said town, which was referred to the committee on roads and bridges.

Mr. Beekman presented the petition of Joseph Tucker and other builders and citizens of New-York city, for an amendment of the fire law in said city, which was referred to the committee on the incorporation of cities and villages.

Mr. Beekman presented the petition of John F. Rodman, for the incorporation of a ferry to Fort Hamilton, which was referred to the committee on commerce and navigation.

Mr. Vanderbilt presented the remonstrance of the common council of Brooklyn, against the application of D. Richards, to

build docks, &c., which was referred to the committee of the whole.

Mr. Upham presented the remonstrance of eighty-six citizens of Bellevue and vicinity, against granting a charter for a suspension bridge between Bellevue and Niagara Falls, which was referred to the committee of the whole.

Mr. Taber presented the remonstrance of citizens of Schoenectady, against dividing said city, which was referred to the committee on the incorporation of cities and villages.

Mr. Platt, from the committee on poor laws, to which was referred the Assembly bill entitled "An act to amend title-one, of chapter twenty, of the first part of the Revised Statutes, entitled 'of the relief and the support of indigent persons,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. McMurray, from the committee on finance, to which was referred the Assembly bill entitled "An act making appropriations for the payment of certain bonds and interest on certain State stocks," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to change the title of the Owego congregational society," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the memorial of the mutual life insurance company of New-York, reported, and asked and obtained leave to introduce a bill entitled "An act to amend the general law relative to the incorporation of insurance companies," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the title of a certain lot of land in George Henry, jr.," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act providing for the appointment of an additional number of notaries public in the city and county of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred the bill entitled "An act to incorporate the American Geographical and statistical society," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred the petition of Jehiel D. Russ for the passage of an act to

incorporate the society of Natural History, reported, and asked and obtained leave to introduce a bill entitled "An act to incorporate the Society of Natural History," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of this State, in certain real estate, of which James Bremon died seized to Eliza R. Bremon," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act confirming a conveyance of real estate to Henrietta Fanny Courtin," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Taber, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the punishment of crimes in certain cases, and allowing the confinement of certain criminals in the Albany county penitentiary," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Taber, from the committee on the judiciary, to which was referred the bill entitled "An act to make the office of county clerk a salaried office, to reduce the fees, and change the manner of keeping the records of the same," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to discontinue in part, a certain highway in the town of Groton, Tompkins county," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

In pursuance of previous notice, and by unanimous consent,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act for the more effectual prevention of fires in the city of New-York, and to amend the acts heretofore passed for that purpose, passed March 7, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to authorise Algernon S. Jarvis to use girders and posts of wood in the construction of a building in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent,

Mr. Clark asked for and obtained leave to introduce a bill en-

titled "An act to enable the Bristol Center and South Bristol plank road company, to complete and keep in repair their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Senate then resolved itself into a committee of the whole on the concurrent resolutions of Mr. Vanderbilt, for an amendment of the Constitution,

And after some time spent thereon, Mr. Jones, from said committee, reported progress, and asked for and obtained leave to sit again.

On motion of Mr. Vanderbilt,

The said resolutions were made the special order for four o'clock to-day, and the former special order for this afternoon, postponed.

By unanimous consent,

Mr. Bartlett offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That two hundred and fifty extra copies of the report of the State Engineer, in regard to the amount and cost of transportation of freight upon railroads, be printed for the use of the State Engineer.

By unanimous consent,

The said resolution was adopted without reference to the printing committee.

At a quarter to two o'clock, p. m., the Senate took a recess.

FOUR O'CLOCK, P. M.

The Senate again met.

The President announced the special order, it being the consideration of the concurrent resolutions of Mr. Vanderbilt.

Mr. Vanderbilt moved that the same be postponed until to-morrow (Tuesday), at eleven o'clock, a. m., and continued during the sessions of the day, subject to the special order of executive session.

The President then announced the special order, it being the consideration of a resolution of Mr. Babcock offered on the 22d inst., in relation to affairs of Union College, and the appointment of a committee to further investigate the same.

Debate was had thereon, when

At a quarter to six o'clock, p. m., on motion of Mr. Van Schoonhoven,

The rule for adjournment at six o'clock, p. m., was suspended for to-day.

The said resolution was then further debated by Mr. Van Schoonhoven, until a quarter past seven, p. m., when

On motion of Mr. Williams,

The Clerk called the roll, and it appearing that there was not a quorum of Senators present, Mr. Williams moved a call of the Senate.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Whereupon the officers were ordered to clear the Senate chamber of spectators, and close the doors of the same, which having been done, such call was proceeded with until a quorum was found to be present.

Mr. Beech then moved that the further call be suspended.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then announced the question to be on the said resolution of Mr. Babcock, which had been debated during the p. m., session, when Mr. Van Schoonhoven resumed the debate.

Debate was further had thereon, when

Mr. Beekman offered the following amendment to said resolution of Mr. Babcock, as a substitute :

Resolved, That a committee of three Senators be appointed by the President of the Senate, in the manner prayed for by the trustees and president of Union college, which committee shall not enter upon their duties unless the president of said college shall first execute and file with the Comptroller of this State, a bond in the penalty of five hundred thousand dollars, with sufficient sureties who shall justify in said amount to the satisfaction of the Comptroller, to pay any balance that may be adjudicated against the said president or trustees, or any one of them, to the treasurer of the State of New-York, for the benefit of Union college ; and in case such bond be not duly executed and filed on or before the first day of May next, then it shall be the duty of the Attorney General, and he is hereby directed, immediately after the said first day of May, to bring suit as prayed for by said trustees, April 8th, 1840, in the name of the people of this State, against the said president and trustees of Union college, or any one of them, to recover the sums found due from the said president or trustees, or from any one of them, to Union college, by a commission of State officers, as appears by the report made to the Senate on the 4th March, 1853.

Debate was had thereon, when

Mr. Beekman called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Beekman	McElwain	Otis	Pierce	
Beach	Cornell	McMurray			8

FOR THE NEGATIVE.

Babcock	Morgan	Smith	Upham	Williams
---------	--------	-------	-------	----------

Davenport	Munroe	Snow	Vanderbilt	Wright	
Jones	Platt	Taber	VanSchoonhoven		14

Mr. Beekman then offered the following amendment to be added to the said resolution of Mr. Babcock :

And the said committee shall make up and begin their report by the first day of May next, and shall deposit the same with the Attorney General of this State by that day, whose duty it shall be forthwith thereafter (if in his opinion there are good reasons therefor), to take such legal proceedings against the trustees of Union college, against the president thereof, against all or any or either of them, against any person connected with said college, who may have been guilty of improper conduct, or of any unlawful acts.

Resolved further, that the Attorney General present any report so left with him, to the next legislature, on the first day of its session, in order that they may take such further action in the premises as may seem to them right.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	McMurray	Pierce	Vanderbilt	
Beach	Jones	Munroe	Platt	Williams	
Beekman	McElwain	Otis			13

FOR THE NEGATIVE.

Babcock	Smith	Taber	VanSchoonhoven	Wright	
Cornell	Snow	Upham			8

The President then announced the question to be on the said resolution of Mr. Babcock as amended.

Mr. Pierce moved to further amend, by inserting between the resolution as offered by Mr. Babcock, and the amendment offered by Mr. Beekman, and adopted, as follows: "and the expense thereof be paid by the president and trustees of said college."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President again announced the question to be on the said resolution of Mr. Babcock, as amended.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Otis	VanSchoonhoven	
Bartlett	Jones	Munroe	Upham	Williams	10

FOR THE NEGATIVE.

Beach
BeekmanCornell
McMurray

Platt

Smith

Wright

7

At nine o'clock, p. m., on motion of Mr. Otis,
The Senate adjourned to half-past ten o'clock, a. m. to-morrow.

TUESDAY, MARCH 29, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

The journal of yesterday was read and approved.

Mr. Vanderbilt presented the petition of the medical board of the Brooklyn city hospital, to restore the office of physician of the Marine hospital, which was laid on the table.

Mr. Vanderbilt presented the petition of the Croton and Sparta lime company, for the appointment of appraisers by the State prison inspectors, which was referred to the committee on State prisons.

Mr. Davenport presented the petition of J. Mullen, for an alteration in the charter of the village of Watertown, which was referred to the committee on the incorporation of cities and villages.

Mr. Platt presented the remonstrance of resident consuls in the city of New-York, against the passage of the emigrant passenger law, which was referred to the committee on commerce and navigation.

Mr. Beekman presented the remonstrance of Wm. Whillock and other ship owners and merchants of New-York city, against the passage of any law on the subject of pilotage, which was referred to the committee on commerce and navigation.

The President appointed Messrs. Vanderbilt, Jones and Ward, a select committee, as provided by the resolution adopted yesterday, for further investigation into the affairs of Union college.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorise the supervisors of Seneca county, to levy a tax upon the town of Fayette, to pay the balance due for rebuilding a bridge," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Huntington, from the committee on the erection and division of towns and counties, to which was referred the Assembly bill entitled "An act to annex parts of the third and fourth wards of the city of Schenectady, to the towns of Niskayuna and Rotterdam, in the county of Schenectady," reported in favor of the

passage of the same without amendment, which was committed to the committee of the whole.

Mr. Huntington, from the committee on the erection and division of towns and counties, to which was referred the Assembly bill entitled "An act to annex part of the town of Newfield, Tompkins county, to the town of Catharine, Chemung county," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred the bill entitled "An act for the relief of consolidated school district No. 10, in the town of Warsaw, Wyoming county," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

The bill entitled "An act to provide for building a bridge in the town of Livingston, in the county of Columbia, and for the payment of the expense thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Newcomb	Rogers	Vanderbilt
Beekman	Kirby	Otis	Smith	Ward
Bristol	McElwain	Pierce	Snow	Williams
Clark	Morgan	Platt	Taber	Wright
Davenport	Munroe			

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

The bill entitled "An act to define the boundary between certain towns in the county of Essex," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Morgan	Platt	Taber
Beach	Davenport	Munroe	Rogers	Upbam
Beekman	Huntington	Newcomb	Smith	Ward
Bristol	Kirby	Otis	Snow	Williams
Clark	McElwain			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Snow, from the committee on medical societies and colleges, to which was referred the Assembly bill entitled "An act to encourage and promote medical enquiry and investigation, and

for the better protection of burying grounds and cemeteries," with power to report complete, so reported.

Mr. Upham moved that the said bill and report be committed to the committee of the whole.

Debate was had thereon, when

The hour of eleven o'clock, a. m., having arrived, the President announced the special order, it being Mr. Vanderbilt's concurrent resolutions.

Mr. Williams moved to suspend said special order until after the report of committees.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then announced the question to be on the motion of Mr. Upham, to commit said bill to the committee of the whole.

Debate was had thereon, when

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows.

FOR THE AFFIRMATIVE.

Bristol	Huntington	McElwain	Pierce	Vanderbilt	
Clark	Kirby	Otis	Upham	Williams	
Cornell					13

FOR THE NEGATIVE.

Babcock	Davenport	Newcomb	Snow	Ward	
Bartlett	McMurray	Platt	VanSchoonhoven	Wright	
Beekman	Morgan	Smith			13

The President then put the question whether the Senate would agree to the report of the committee on said bill, and it was decided in the affirmative.

Ordered, That said bill do have its third reading.

Mr. Clark, from the committee on roads and bridges, to which was referred the bill entitled "An act to enable the Bristol Center and South Bristol plank road company, to complete and keep in repair their road," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Kirby, from the committee on militia and public defence, to which was referred the Assembly bill entitled "An act for the relief of assessors for enrolling the militia in the year 1852," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to enlarge the powers of the trustees of the village of Holley," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the vil-

lage of Mount Morris,' passed May 2, 1835," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act providing for the registry of births, marriages and deaths,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bristol, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act to provide for the establishment of Indian schools upon the Cattaraugus and Allegany reservations in this State, for the instruction of Indian children," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Otis, from the select committee, to which was referred the bill entitled "An act to authorise the commissioners of highways of the town of Stockport, in the county of Columbia, to lay out and open highways in said town less than three rods wide," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Vanderbilt, from the select committee, to which was referred the bill entitled "An act further to amend an act entitled 'An act to incorporate the Greenwood cemetery,' passed April 18, 1838," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Bristol, from the select committee, to which was referred the bill entitled "An act to incorporate the Ithaca water works company," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the concurrent resolutions for an amendment of the Constitution,

And after some time spent thereon, Mr. Upham, from said committee, reported progress, and asked for and obtained leave to sit again.

The President announced the special order, it being executive session.

Mr. Cooley moved that the Senate do resume legislative business and proceed with the special order.

Mr. McMurray called for the ayes and noes.

Mr. President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babeock	Cooley	Newcomb	Upham	Ward	
Beach	McElwain	Platt	Vanderbilt	Williams	
Beckman	Munroe	Taber	VanSchoonhoven	Wright	15

FOR THE NEGATIVE.

Bartlett	Davenport	McMurray	Pierce	Smith
Bristol	Kirby	Otis	Rogers	Snow
Cornell				

The Senate then resolved itself into a committee of the whole on the concurrent resolutions of Mr. Vanderbilt, for an amendment of the Constitution,

And after some time spent thereon, Mr. Upham, from said committee, reported progress, and asked for and obtained leave to sit again.

At a quarter to two o'clock, p. m., the Senate took a recess.

FOUR O'CLOCK, P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the concurrent resolutions of Mr. Vanderbilt, for an amendment of the Constitution,

And after some time spent thereon, Mr. Upham, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Vanderbilt moved that the special order, being the general orders, be rescinded for to-morrow.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt moved that the concurrent resolutions offered by him in relation to an amendment of the Constitution, be made the special order for to-morrow at eleven o'clock, a. m., and continued through the day.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message from the Assembly was received and read informing that they had passed, with amendments, the following entitled bill:

"An act to authorise the common council of Troy, to close up and discontinue a portion of Sixth street, and to lay out and open a new street in said city."

Mr. Morgan moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	McMurray	Pierce	Upham
Beekman	Huntington	Morgan	Platt	Vanderbilt
Bristol	Kirby	Munroe	Rogers	Williams
Clark	McElwain	Newcomb	Smith	Wright
Cooley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had passed, with amendments, the following entitled bill:

"An act to amend section twenty-two, of chapter twenty, title one, of the first part of the Revised Statutes (fourth edition), in relation to superintendents of the poor."

Mr. Wright moved that the Senate concur in the said amendments made by the Assembly.

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Davenport	McMurray	Platt	Ward
Beckman	Huntington	Morgan	Rogers	Williams
Bristol	Kirby	Munroe	Smith	Wright
Clark	McElwain	Otis	Vanderbilt	79

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

On motion of Mr. Otis, and by unanimous consent,

Resolved, That the third reading of bills be made the special order on Thursday next, immediately after the reports of committees.

By unanimous consent,

The bill entitled "An act extending the time for the collection of taxes when stayed by injunction or otherwise," was then read the third time.

Mr. Babcock moved to refer said bill to the committee on the judiciary.

At six o'clock, p. m.

The Senate adjourned to half-past ten o'clock, a. m. to-morrow.

WEDNESDAY, MARCH 30, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

Mr. McElwain, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Western New-York agricultural live stock insurance company,' passed April 15, 1852," reported, and moved that said committee be discharged from the further consideration thereof, and that the same be referred to the committee on banks and insurance companies.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for taking the acknowledgment of deeds and other written instruments, by persons residing out of the State of New-York,' passed April 7, 1848," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of Peter R. Simmons," with power to report complete, so reported.

By unanimous consent,

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Kirby	Newcomb	Smith	Upham
Bartlett	McElwain	Otis	Snow	Vanderbilt
Clark	Morgan	Pierce	Taber	Williams
Huntington	Munroe	Rogers		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the people of this State in certain real estate conveyed by Peter Dempsey and wife, to John Aird, which escheated on his death to Charles Davis and James Davis, who are equitably entitled thereto," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to construct certain roads from the settlements in Lewis county, to Brown's tract, in Herkimer county," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Babcock, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to suits by and against joint stock companies and associations,' passed April 7, 1849," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to authorise the consolidation of the Syracuse and Binghamton, and the Oswego and Syracuse

railroad companies," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Jones moved to take from the table the report of the select committee on the bill entitled "An act establishing a ferry across the Hudson river, from the south dock at the upper landing at Fort Montgomery, in the town of Cornwall, county of Orange, to a point on the easterly shore of said river, near the northern extremity of the tunnel through Anthony's nose, on the Hudson river railroad, in the town of Phillipstown, county of Putnam."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of said committee, and it was decided in the negative.

By unanimous consent,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act to incorporate the Montague park association in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was referred to a select committee to report complete.

The President appointed as such committee, Messrs. Vanderbilt, Beekman and Otis.

Mr. Morgan, from the select committee, to which was referred the bill entitled "An act in relation to the moneys levied by law on masters, mates, mariners, and seamen arriving at the city and port of New-York, and the disposal of the same by the trustees of the Seamen's fund and retreat, and by the trustees for the aid of the female relatives of seamen," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Snow offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That fifteen hundred extra copies of the annual report of the Canal Commissioners, and of the report of Commissioner Fitzhugh, and of the annual report of the State Engineer on railroads, be printed.

Ordered, That said resolution be referred to the committee on public printing.

At eleven o'clock, a. m., the President announced the special order.

The Senate then resolved itself into a committee of the whole on the concurrent resolutions of Mr. Vanderbilt, in relation to an amendment of the Constitution,

And after some time spent thereon, Mr. Upham, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Upham moved that the said resolutions be made the special order for four o'clock, p. m., to day.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

The bill entitled "An act extending the time for collection of taxes when stayed by injunction or otherwise," was amended as follows:

§ 1. In all cases where proceedings for the collection of taxes are by injunction or order of a court of record stayed or suspended beyond the time allowed by law for the collector's return, the collector shall make his return at the time appointed by law, of such portion of such taxes as have been collected by him, if any, and set forth the fact of such stay or suspension; and the collector or other

By unanimous consent,

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Manroe	Platt	Vanderbilt
Bartlett	Huntington	Newcomb	Rogers	Van Schoonhoven
Beekman	Kirby	Otis	Snow	Williams
Bristol	McElwain	Pierce	Taber	Wright 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Beekman, from a majority of the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Junior New-York journeymen shipwright and caulkers' benevolent association," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from a majority of the committee on literature, to which was referred the Assembly bill entitled "An act relative to the incorporation of colleges and academies," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to authorise the formation of railroad corporations and to regulate the same, passed April 2, 1850," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Beekman, from a majority of the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the De Veaux college for orphan and destitute children," reported in favor of the passage of the

same without amendment, which was committed to the committee of the whole,

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the petition of J. Mullen for legalising village elections in Watertown, reported, and asked and obtained leave to introduce a bill entitled "An act in relation to the village of Watertown."

By unanimous consent,

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Newcomb	Snow	
Bartlett	Cooley	McElwain	Otis	Vanderbilt	
Beach	Davenport	Morgan	Platt	Williams	
Bristol	Huntington	Munroe	Rogers	Wright	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to require the board of supervisors of Oswego county, to levy a tax upon the towns of Schroeppele and Granby, for the repairs of the free bridge at Hinmansville, in said town," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

By unanimous consent,

The bill entitled "An act for the relief of the president, directors, and first company of the Northern turnpike road," was read a third time.

The President put the question whether the Senate would agree to the final passage of the said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	Newcomb	Rogers	VanSchoonhoven
Bartlett	Kirby	Otis	Snow	Ward
Bristol	McElwain	Pierce	Taber	Williams
Clark	Morgan	Platt	Vanderbilt	Wright
Davenport	Munroe			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

The bill entitled "An act to authorise the enrolment of decrees of the late court of chancery," was read a third time.

The President put the question whether the Senate would agree

to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babeock	Davenport	Morgan	Platt	Vanderbilt	
Bartlett	Huntington	Munroe	Rogers	Ward	
Bristol	Kirby	Newcomb	Snow	Williams	
Clark	McElwain	Otis	Taber	Wright	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

The Assembly bill entitled "An act to amend title one, of chapter twenty, of the first part of the Revised Statutes, entitled 'of the relief and support of indigent persons,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present as follows :

FOR THE AFFIRMATIVE.

Babeock	Cornell	McElwain	Platt	Upham	
Bartlett	Davenport	Morgan	Rogers	Vanderbilt	
Bristol	Huntington	Munroe	Snow	Williams	
Clark	Kirby	Otis	Taber	Wright	
Cooley					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Upham called for the consideration of the concurrent resolution offered by him on the 26th inst., in relation to printing laws in force in this State, for support of the poor, &c.,

On motion of Mr. Upham, and by unanimous consent,

Said resolution was amended, by inserting "7,500" in place of "5,000," as the number of copies to be printed; and inserting after the words "superintendents of the poor," the words "and town overseers of the poor."

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

A bill was received from the Assembly for concurrence, entitled "An act to repeal an act entitled 'An act to amend an act to incorporate the village of Greene, Chenango county, passed April 12, 1842, and passed April 7, 1852,' and for other purposes," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,
Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

By unanimous consent,
 Mr. Platt offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the committee appointed March 22, 1852, to enquire into the alleged disorderly conduct of Senator Pierce, and also in relation to the charges preferred by Senator Smith against Senators Upham and Platt, be and they are hereby required to report thereon at the earliest day practicable.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships.'"

Said amendments having been read,

Mr. Beech moved that the Senate do concur in the first of the two sections, it being section two as amended.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Manroe	Rogers	Upham
Beach	Huntington	Newcomb	Smith	Vanderbilt
Beckman	McElwain	Otis	Snow	Williams
Bristol	Morgan	Platt	Taber	Wright

20

At a quarter to two o'clock, p. m., the Senate took a recess.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Pierce presented the petition of Martus Schoonmaker and Nicholas Elmendorf, stockholders in the Chenango bridge company, against the passage of a law authorising the building of another bridge across the Chenango river at Binghamton, which was referred to the committee on roads and bridges.

On motion of Mr. Pierce, and by unanimous consent,

Resolved, That the bill entitled "An act to authorise the building of a bridge across the Chenango river at Binghamton," be re-committed to the committee on roads and bridges.

The President announced the special order, it being the concurrent resolutions of Mr. Vanderbilt.

On motion of Mr. Vanderbilt,

Resolved, That the special order of the third reading of bills be made at the end of the morning session to-morrow; that the special order of this afternoon be postponed until to-morrow afternoon, and be continued from day to day until disposed of; and that the third reading of bills be made the special order this afternoon.

By unanimous consent,

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act to incorporate the New-York State and National law school," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Morgan asked for and obtained leave to introduce a bill entitled "An act to confirm the sale of property to the New-York institution for the instruction of the deaf and dumb," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was referred to a select committee to report complete.

The President appointed as such committee, Messrs. Morgan, Beekman and Bartlett.

The bill entitled "An act to confirm certain sales and conveyances of real estate in the county of Kings, made by Thomas G. Talmadge, as loan commissioner," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	Morgan	Rogers	Upham	
Bartlett	Huntington	Monroe	Smith	Vanderbilt	
Beekman	Kirby	Otis	Snow	Williams	
Bennett	McElwain	Platt	Taber	Wright	20

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act to provide for the incorporation of companies to construct plank roads, and of companies to construct turnpike roads, passed May 7, 1847, and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	McElwain	Rogers	Vanderbilt
Beekman	Davenport	Newcomb	Smith	Williams

Bennett	Huntington	Otis	Snow	Wright	
Bristol	Kirby	Platt	Upham		20

FOR THE NEGATIVE.

Morgan	1
--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act passed March 16, 1850, relating to the village of Whitehall," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	Morgan	Platt	Taber	
Bartlett	Huntington	Munroe	Rogers	Vanderbilt	
Bennett	Kirby	Newcomb	Smith	Williams	
Cooley	McElwain	Otis	Snow	Wright	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the commissioners of highways of the town of Stockport, in the county of Columbia, to lay out and open highways in said town not less than three rods wide," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Pierce	Snow	
Bartlett	Davenport	Munroe	Platt	Taber	
Beekman	Huntington	Newcomb	Rogers	Williams	
Bennett	Kirby	Otis	Smith	Wright	
Bristol	McElwain				22

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide for the construction of a railroad from the head of Seneca lake to the New-York and Erie railroad in the county of Chemung,' passed May 24, 1845," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	Monroe	Rogers	Vanderbilt
Bartlett	Jones	Newcomb	Smith	Ward

Beekman	Kirby	Otis	Snow	Williams	
Bristol	McElwain	Pierce	Taber	Wright	
Cooley	Morgan	Platt			23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act making an appropriation and authorizing a loan on the credit of the county of Warren, and laying a tax on the town of Chester and Johnsburch, in said county, for building a bridge across the west branch of the Hudson, in Warren county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Manroe	Rogers	Vanderbilt	
Beekman	Huntington	Newcomb	Smith	Ward	
Bennett	Kirby	Otis	Snow	Williams	
Bristol	Morgan	Platt	Taber	Wright	
Cooley					21

FOR THE NEGATIVE.

Babcock					1
---------	--	--	--	--	---

Ordered, That the Clerk deliver the said bill to the Assembly and request their concurrence therein.

The bill entitled "An act to apply the provisions of an act entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference, passed April 16, 1852,' to the Ithaca cotton mills company at Ithaca, Tompkins county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Morgan	Rogers	Vanderbilt	
Beekman	Huntington	Newcomb	Snow	Ward	
Bennett	Kirby	Otis	Taber	Williams	
Cooley	McElwain	Platt			18

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of the president, directors, and first company of the Great Western turnpike road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Platt	Vanderbilt
Bartlett	Huntington	Munroe	Rogers	Ward
Beekman	Kirby	Newcomb	Snow	Williams
Bennett	McElwain	Otis	Taber	Wright
Bristol				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act for the improvement of the highways in the county of Richmond,' passed May 7, 1847," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Morgan	Platt	Ward
Bartlett	Cooley	Munroe	Snow	Williams
Beekman	Davenport	Newcomb	Taber	Wright
Bennett	Huntington	Otis	Vanderbilt	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of the village of Elliottville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Platt	Vanderbilt
Bartlett	Cornell	Morgan	Rogers	Ward
Beekman	Davenport	Munroe	Snow	Williams
Bennett	Huntington	Newcomb	Taber	Wright
Bristol	Kirby	Otis		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the existing law relating to bribery," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	Munroe	Platt	Vanderbilt
Beekman	Kirby	Newcomb	Rogers	Ward
Bennett	McElwain	Otis	Snow	Wright
Bristol	Morgan	Pierce	Taber	

19

FOR THE NEGATIVE.

Huntington

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Elias Stillwell and Benjamin Smith," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Platt	Vanderbilt
Bartlett	Huntington	Newcomb	Rogers	Ward
Beekman	Kirby	Otis	Snow	Williams
Bennett	McElwain	Pierce	Taber	Wright
Bristol				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the superintendent of common schools to purchase Stryker's American Register for the common school districts of this State," having been read a third time,

Mr. Pierce moved to recommit, with instructions to substitute Brodhead's History for the Register.

Debate was had thereon, when

Mr. Pierce withdrew his said amendment.

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Morgan	Rogers	Ward
Beekman	Huntington	Newcomb	Taber	Williams
Bennett	Kirby	Otis	Vanderbilt	Wright
Bristol	McElwain	Platt		

18

FOR THE NEGATIVE.

Pierce	Smith	Snow	
--------	-------	------	--

3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to enable the Bristol Center and South Bristol plank road company, to complete and keep in repair their road."

"An act for the relief of consolidated school district No. 10, in the town of Warsaw, Wyoming county."

"An act to amend an act entitled 'An act to incorporate the Greenwood cemetery,' passed April 18, 1838."

Ordered, That said bills do have their third reading.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bill, to wit:

"An act further to amend the charter of the village of Albion."

The bill entitled "An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present as follows:

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Morgan	Platt	Vanderbilt
Beekman	Huntington	Munroe	Rogers	Ward
Clark	Kirby	Newcomb	Smith	Williams
Cooley	McElwain	Otis	Snow	Wright 20

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorising the board of supervisors of the county of Wyoming, to fix and determine the salary of the clerk of said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Otis	Snow
Bartlett	Clark	Morgan	Platt	Ward
Beach	Davenport	Munroe	Rogers	Williams
Beekman	Huntington	Newcomb	Smith	Wright
Bennett				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to legalise and confirm a certain conveyance heretofore made by the minister, elders and deacons of the Reformed Dutch church on the corner of Green and Houston streets, in the city of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Otis	Vanderbilt
Bartlett	Clark	Morgan	Platt	Ward
Beach	Davenport	Munroe	Smith	Williams
Beekman	Huntington	Newcomb	Snow	Wright
Bennett	Kirby			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills:

"An act to authorise the commissioners of highways of the town of Triangle, in the county of Broome, to erect and maintain a free bridge across the Tioughnioga river, above the junction of the said river with the Otselic river."

"An act to incorporate the Rockbottom bridge company, of the village of Binghamton."

Ordered, That the Clerk deliver said bills to the Governor.

The bill entitled "An act to make the village of Ellicottsville a separate road district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Morgan	Platt	Vanderbilt
Beekman	Huntington	Munroe	Smith	Ward
Bristol	Kirby	Newcomb	Snow	Williams
Clark	McElwain	Pierce	Taber	Wright

20

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to make the village of Silver Creek a separate road district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Morgan	Platt	Vanderbilt
Bartlett	Cooley	Munroe	Rogers	Ward
Beekman	Huntington	Newcomb	Smith	Williams
Bennett	Kirby	Otis	Snow	Wright
Bristol	McElwain	Pierce		

23

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the Salina, Liverpool and Clay plank road company to abandon a part of their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Otis	Snow
Bartlett	Clark	McElwain	Platt	Vanderbilt
Beekman	Cooley	Morgan	Smith	Ward
Behnett	Huntington	Monroe		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the time for completing the plank road of the Schenectady and Duanesburgh plank road company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Newcomb	Smith
Bartlett	Clark	Morgan	Otis	Snow
Beach	Huntington	Munroe	Platt	Wright
Beekman	Kirby			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorising the Canal Commissioners to build a bridge across the Clark and Skinner canal at Perry-st., in the city of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Newcomb	Smith
Bartlett	Clark	McElwain	Otis	Snow
Beach	Cooley	Morgan	Pierce	Ward
Beekman	Huntington	Munroe	Platt	Williams
Bennett				

21

Ordered, That the Clerk deliver the said bill to the Assembly and request their concurrence therein.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the New-York corn exchange."

By unanimous consent,

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Morgan	Platt	Vanderbilt
Bennett	Huntington	Munroe	Smith	Ward
Bristol	Kirby	Newcomb	Snow	Wright
Clark	McElwain	Otis	Taber	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

On motion of Mr. Platt, and by unanimous consent,

Resolved, That on and after Monday next, during the remainder of the session, the Senate will meet at ten o'clock, a. m.

By unanimous consent,

Mr. Snow asked for and obtained leave to introduce a bill entitled "An act to amend 'An act to provide for the incorporation of bridge companies,' passed April 11, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

At six o'clock, p. m.

The Senate adjourned to half-past ten o'clock, a. m. to-morrow.

THURSDAY, MARCH 31, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Snow offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the following Senate bills be made a special order for the Senate, in the committee of the whole, for Monday next at eleven o'clock, a. m.

Number 135, general orders 153; No. 136, general orders 154; No. 137, general orders 155; No. 138, general orders 156; No. 139, general orders 157; No. 140, general orders 158; No. 141, general orders 160; No. 142, general orders 159; No. 143, general orders 163; No. 145, general orders 165; No. 146, general orders 161; No. 147, general orders 162; No. 148, general orders 166; No. 149, general orders 164; No. 150, general orders 167; No. 156, general orders 169; No. 157, general orders 168; No. 161, general orders 170; No. 162, general orders 171; No. 165, general orders 183; No. 166, general orders 184; No. 169, general orders 197; No. 223, general orders 249; No. 227, general orders 253.

Mr. Williams moved to amend, by inserting after the bills mentioned in the resolution "and all other claim bills originating in the Senate."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on Mr. Snow's resolution as amended.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Cooley	Newcomb	Smith	VanSchoonhoven
Beekman	Davenport	Otis	Snow	Ward
Bennett	Huntington	Pierce	Taber	Williams
Bristol	Jones	Rogers	Upham	Wright
Clark	Morgan			
				22

FOR THE NEGATIVE.

Munroe

By unanimous consent,

Mr. Taber offered for the consideration of the Senate, a resolution in the words following, to wit :

Resolved, (If the Assembly concur,) That the general appropriation and supply bills ought to be forthwith introduced, to afford time for their examination before acting thereon.

Ordered, That said resolution be laid on the table.

Mr. Beekman presented the petition of Orsamus Bushnell and others, for power to purchase certain real estate, which was referred to the committee on the judiciary.

Mr. Williams presented the petition of citizens of the village of Ovid, Seneca county, for an amendment of the charter of said village, which was referred to the committee on the incorporation of cities and villages.

Mr. Williams presented the petition of Mary A. Hopkins and thirty other ladies of Seneca county, for the passage of a law to suppress the evils of intemperance, which was referred to a select committee.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act relative to the common lands in the town of North Hempstead, county of Queens," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend 'An act to provide for the incorporation of bridge companies,' passed April 11, 1848," to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to repeal sections nine, eleven, thirteen and fourteen, and

part of section ten, and section fifteen, of title four, part one, chapter thirteen of the Revised Statutes, entitled 'regulations concerning the assessments of taxes on incorporated companies and the commutation thereof,' reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act declaring the river Saranac a public highway,'" with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act extending the boundaries and amending the charter of the village of Ogdensburgh,' passed June 20, 1851," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to repeal an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Greene, Chenango co., passed April 12, 1842, and passed April 7, 1852,' and for other purposes,'" with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Beach, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Western New-York agricultural live stock insurance company,' passed April 15, 1852," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Morgan from the select committee of eight, reported the following bills as proper to be referred to select committees to report complete, which report was agreed to and said bills referred as follows:

"An act in relation to school district number one, in the town of Seneca, Ontario county, to Messrs. Clark, Kirby and McElwain.

"An act to amend the laws relative to the equalization of assessments, and the correction of the assessment rolls by the supervisors," to Messrs. Pierce, Smith and Taber.

"An act to provide for the establishment of Union free schools," to Messrs. Conger, Beekman and McElwain.

"An act to amend an act for the preservation of the public health," to Messrs. Munroe, Bartlett and Cornell.

"An act to reorganize the first regiment of New-York volunteers and other soldiers engaged in the late war with Mexico, into an independent battalion for ten years, to Messrs. Kirby, McElwain and Beekman.

Assembly bill, "An act to incorporate the publishing committee

of the Northern Christian Advocate, in Auburn, Cayuga county, to Messrs. Beach, Davenport and Snow.

Assembly bill, "An act to establish a ferry across Cayuga lake, from the village of Union springs, in Cayuga county, to Fayette, in Seneca county," to Messrs. Williams, Beach and Cornell.

"An act to amend an act to incorporate the Junction canal company," to Messrs. Cornell, Bristol and Clark.

Assembly bill, "An act to incorporate the Dunkirk savings bank," to Messrs. Ward, Cooley and Platt.

Assembly bill, "An act to amend 'An act in relation to the trustees of Cayuga academy,' passed April 1, 1844," to Messrs. Beach, Munroe and Platt.

"An act for the reimbursement to counties of the expenses of criminal proceedings in certain cases," to Messrs. Conger, Vanderbilt and Jones.

"An act authorising the common council of Utica, to borrow twelve thousand dollars in anticipation of the appropriation made by Congress to aid in the erection of a City Hall in Utica," to Messrs. Huntington, Bennett and Babcock.

"An act to enable Maria Vicenta Rodrigues, an alien, to hold, grant and convey certain real estate or interest therein, and to appoint her trustee under the will of Vicenta Rodrigues," to Messrs. Vanderbilt, Beekman and McMurray.

Assembly bill, "An act to amend an act to authorise a part of the records of the counties of Ontario and Steuben, to be transmitted and deposited in the clerk's office of Yates county," to Messrs. Williams, Cornell and Clark.

"An act to incorporate the New-York Homeopathic association in the city of New-York," to Messrs. Snow, Taber and Rogers.

"An act in relation to disputed wills," to Messrs. Jones, Babcock and Wright.

Assembly bill, "An act to punish gross frauds, and to suppress mock auctions," to Messrs. Morgan, Beekman and Smith.

"An act to enable Bernardo Escorihuela to hold real estate," to Messrs. Vanderbilt, Cooley and Newcomb.

"An act for the relief of Mary Large and Ann Hewson," to Messrs. Babcock, Ward and McElwain.

Assembly bill, "An act to provide for free schools in the village of Waterloo," to Messrs. Williams, Smith and Kirby.

"An act to authorise the trustees of the village of Geddes, to sell their cemetery grounds and to remove the remains of the dead buried therein, to a new burying ground," to Messrs. Munroe, Bristol and Huntington.

"An act to amend the act in relation to the support of the poor in the county of Montgomery," to Messrs. Snow, Bennett and Huntington.

"An act to make the office of county clerk a salaried office, to reduce the fees and change the manner of keeping the records of the same," to Messrs. Bennett, Ward and Munroe.

Assembly bill, "An act to discontinue in part a certain highway in the town of Groton, Tompkins county, to Messrs. Williams, Davenport and Wright.

Assembly bill, "An act to require the board of supervisors of Oswego county, to levy a tax upon the towns of Schroeppe and Granby, for the repairs of the free bridge at Hinmansville, in said towns," to Messrs. Platt, Munroe and Huntington.

Assembly bill, "An act to amend an act in relation to suits by and against joint stock companies and associations, passed April 7, 1840," to Messrs. Otis, Vanderbilt and Ward.

Assembly bill, "An act to incorporate the Junior New-York journeymen shipwright and caulkers' benevolent association," to Messrs. Morgan, Bristol and Otis.

Assembly bill, "An act to release the interest of the people of this State in certain real estate conveyed by Peter Dempsey and wife to John Aird, which escheated on his death to Charles Davis and James Davis, who are equitably entitled thereto," to Messrs. Babcock, Taber and Jones.

Assembly bill, "An act to incorporate the De Veaux college for orphan and destitute children," to Messrs. Beekman, Wright and Davenport.

"An act amending 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor, in Westchester, Putnam county,'" to Messrs. Conger, Jones and Pierce.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill:

"An act extending the time for the collection of taxes when stayed by injunction or otherwise."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to authorise the commissioners of highways of the town of Triangle, in the county of Broome, to erect and maintain a free bridge across the Tioughnioga river, above the junction of the said river with the Otselic river."

"An act extending the time for the collection of taxes when stayed by injunction or otherwise."

Mr. Morgan, from the select committee, to which was referred the bill entitled "An act to confirm the sale of certain lands of the New-York Institution for the instruction of the deaf and dumb," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Pierce, from the committee on canals, to which was recommended the bill entitled "An act to provide for the repair of the locks on the Champlain canal," with power to report complete, so reported.

Mr. Wright moved to strike out the amendment made by said committee to said bill.

Debate was had thereon, when

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beekman	McElwain	Smith	Upham	Williams	
Clark	Platt	Snow	VanSchoonhoven	Wright	
Cooley	Rogers	Taber	Ward		14

FOR THE NEGATIVE.

Babcock	Bristol	Davenport	Munroe	Pierce	
Bartlett	Cornell	Jones	Otis	Vanderbilt	10

Mr. Wright then moved to insert the following as section first to said bill, instead of the first section as originally reported :

§ 1. The Canal Board are hereby authorised and empowered to cause the locks on the Champlain canal, at Whitehall, to be rebuilt of the same size and capacity as the enlarged locks on the Erie canal.

Mr. Jones moved to amend, by inserting the following at the commencement of said first section : "the Canal Commissioners under the directions of"

Mr. Wright accepted of said amendment.

Mr. Van Schoonhoven moved to further amend, by inserting after the word "rebuilt," the words "and locate."

Mr. Wright accepted of said amendment.

The President put the question whether the Senate would agree to the said amendment as amended, and it was decided in the affirmative.

Mr. Pierce then moved to strike out the second section to said bill as originally reported.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on agreeing to the report of the committee as amended.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the report of said committee as amended, and it was decided in the affirmative, as follows ;

FOR THE AFFIRMATIVE.

Beekman	Huntington	Newcomb	Smith	Ward	
Bristol	Jones	Otis	Snow	Williams	
Clark	McElwain	Platt	Taber	Wright	
Cooley	Morgan	Rogers	VanSchoonhoven		19

FOR THE NEGATIVE.

Babcock	Cornell				2
---------	---------	--	--	--	---

Mr. Pierce, from the committee on canals, to which was refer-

red the Assembly bill entitled "An act to authorise repairs on a bridge over the State drain, in the town of Lysander," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Pierce, from the committee on canals, to which was referred the Assembly bill entitled "An act in relation to the Oswego canal," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Pierce, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide for the construction of a bridge over the Oneida river at Caughdenoy," reported adversely.

On motion of Mr. Platt, and by unanimous consent,
Said report was laid upon the table.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act relative to city improvements and assessments therefor in the city of New-York," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

The President announced the special order, it being the third reading of bills.

Mr. Beach moved that the Senate concur in the second section of the amendment made by the Assembly to the bill entitled "An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships.'"

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babeock	Huntington	Pierce	Snow	Ward
Beach	Munroe	Platt	Taber	Williams
Beekman	Otis	Rogers	Upham	Wright
Bristol				

16

FOR THE NEGATIVE.

Bartlett	Clark	Jones	McElwain	Vanderbilt
Bennett	Cooley			

7

Mr. Upham moved a reconsideration of the vote just taken.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on concurring in said amendment from the Assembly.

Debate was had thereon, when

On motion of Mr. Upham, and by unanimous consent,
Said bill was laid upon the table.

The bill entitled "An act to amend chapter 382, of the Laws of 1849, entitled 'An act to amend chapter 480, of the Laws of 1847, entitled 'An act relative to the office of town superintendent of common schools and amendatory of the Revised Statutes, entitled 'of public instruction,' passed April 11, 1849,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	Munroe	Rogers	Ward
Bartlett	Huntington	Otis	Taber	Williams
Beekman	Jones	Pierce	Upham	Wright
Bristol	McElwain	Platt	Vanderbilt	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill, entitled "An act to amend the charter of the New-York dry dock company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	Morgan	Platt	Ward
Beekman	Huntington	Munroe	Rogers	Williams
Bristol	Jones	Newcomb	Taber	Wright
Cooley	McElwain	Otis	Upham	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to amend an act entitled 'An act in relation to the Recorder's court of the city of Buffalo,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Morgan	Platt	Vanderbilt
Bartlett	Cooley	Munroe	Smith	VanSchoonhoven
Beach	Huntington	Newcomb	Snow	Ward
Beekman	Jones	Otis	Taber	Williams
Bristol	McElwain	Pierce	Upham	

24

FOR THE NEGATIVE.

Rogers

1

Ordered, That the Clerk deliver the said bill to the Assembly and request their concurrence therein.

~~The~~ The Assembly bill entitled "An act to amend an act to incorporate the New-York State and National law school," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Munroe	Platt	Upham
Beekman	Jones	Newcomb	Rogers	Vanderbilt
Bristol	McElwain	Otis	Smith	Williams
Clark	Morgan	Fieroe	Taber	Wright

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message from the Assembly was received and read, in the words following, to wit:

Resolved, That a respectful message be sent to the Senate, requesting that body to return to the Assembly the bill to incorporate the Rockbottom bridge company.

Mr. Vanderbilt moved that the Senate concur in the same.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Assembly bill, entitled "An act to amend the act entitled 'An act to authorise the settlement of the claims of this State against the bail of the late county treasurer of the county of Onondaga,' passed April 10, 1849," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Munroe	Taber
Bartlett	Cooley	Jones	Newcomb	Upham
Beekman	Cornell	McElwain	Otis	Ward
Bristol	Davenport	Morgan	Platt	Williams

20

FOR THE NEGATIVE.

Beach	Wright
-------	--------

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The Assembly bill, entitled "An act to amend an act to authorise the payment of money by the county of Columbia, to the Hudson Orphan Relief Asylum," passed April 10, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Pierce	Upham
Beach	Cooley	Morgan	Platt	Vanderbilt
Beekman	Cornell	Munroe	Rogers	Ward
Bennett	Davenport	Newcomb	Smith	Williams
Bristol	Huntington	Otis	Taber	Wright

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The Assembly bill, entitled "An act relative to lands held in trust by Theodorice Romeyn Beck, for the benefit of Pierre Van Cortlandt and wife, and their descendants," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Otis	Taber
Beekman	Cornell	Morgan	Platt	Upham
Bennett	Davenport	Munroe	Rogers	Williams
Bristol	Huntington	Newcomb	Smith	Wright
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Vanderbilt offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the third reading of bills be the special order this afternoon; and that the special order on the amendment to the Constitution, be delayed until eleven o'clock, to-morrow, and be then continued under the resolution adopted yesterday.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

At a quarter to two o'clock, p. m., the Senate took a recess.

FOUR O'CLOCK, P. M.

The Senate again met.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill:

"An act to enable Henry K. S. Pritchard to assign or release and quit claim his interest in a certain trust."

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly bill, entitled "An act authorising the Richmond ville union seminary and female collegiate institute to increase their capital stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Otis	Upham	
Beekman	Cooley	Morgan	Platt	Vanderbilt	
Bennett	Davenport	Munroe	Rogers	Ward	
Bristol	Huntington	Newcomb	Taber	Wright	20

Ordered, That the clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The President announced the report of commissioners appointed by the Governor, in pursuance of a joint resolution of the Senate and Assembly, for codifying, amending and altering militia laws, with bill accompanying, which was referred to the committee on militia and public defence.

Mr. McElwain moved to print three hundred extra copies of said report for the use of the commissioners.

By unanimous consent,

The President was authorised to put the question on said motion without reference to the printing committee.

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion of Mr. McElwain, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Pierce	Upham	
Bartlett	Clark	McElwain	Platt	Ward	
Beach	Cooley	Morgan	Rogers	Williams	
Beekman	Davenport	Newcomb	Smith	Wright	20

By unanimous consent,

Mr. Beekman offered for the consideration of the Senate, a resolution in the words following, to wit :

Resolved, That three hundred extra copies of the military reports submitted by Brigadier General J. Watts De Peyster, N. Y. S. M., made in pursuance of orders and instruction from the Governor, upon the European militia, and respecting the military organization of the French and Italian fire departments, be printed for the use of the Senate.

By unanimous consent,

The President was authorised to put the question thereon, without reference to the printing committee.

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree

to the said resolution of Mr. Beekman, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Platt	Ward
Bartlett	Clark	Morgan	Rogers	Williams
Beach	Davenport	Newcomb	Taber	Wright
Beekman	Huntington	Otis	Upham	19

On motion of Mr. Clark, and by unanimous consent,

Resolved, That Senate bill No. 188, entitled "An act to prevent the sale of intoxicating liquors as a beverage," be referred back to the standing committee on the internal affairs of towns and counties, with authority to report complete.

By unanimous consent,

Mr. Rogers asked for and obtained leave to introduce a bill entitled "An act to equalise and regulate the assessment of rail-road companies for the purpose of taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Assembly bill, entitled "An act confirming the official acts of Jesse W. Pelleureau, of the town of Brookhaven, county of Suffolk, as justice of the peace, and extending the time in which he may take the oath of office," was read a third time.

The President put the question whether the Senate would agree to the final passage of the said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Platt	Taber
Bennett	Davenport	Munroe	Rogers	Williams
Bristol	Huntington	Newcomb	Smith	Wright
Clark	McElwain	Otis		18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The bill entitled "An act for the relief of consolidated school district No. 10, in the town of Warsaw, Wyoming county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Newcomb	Smith
Bartlett	Clark	McElwain	Otis	Taber
Beach	Cooley	Morgan	Platt	Williams
Beekman	Davenport	Munroe	Rogers	Wright
Bennett				21

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the Bristol Center and South Bristol plank road company to complete and keep in repair their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	McElwain	Pierce	Taber
Beach	Cooley	Morgan	Platt	Vanderbilt
Beekman	Cornell	Munroe	Rogers	Williams
Bennett	Davenport	Newcomb	Smith	Wright
Bristol	Huntington	Otis		23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill, entitled "An act to amend an act entitled 'An act to provide for laying out and opening a road from Clinton county to Carthage, in Jefferson county,' passed April 16, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Munroe	Platt	Vanderbilt
Beach	Cooley	Newcomb	Rogers	VanSchoonhoven
Beekman	Davenport	Otis	Smith	Williams
Bennett	Huntington	Pierce	Taber	Wright
Bristol	McElwain			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Bushwick and Newtown bridge and turnpike road company,' passed April 26, 1836," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	McElwain	Otis	Vanderbilt
Beekman	Cooley	Morgan	Rogers	Williams
Bennett	Davenport	Newcomb	Smith	Wright
Bristol	Huntington			17

FOR THE NEGATIVE.

Babcock

Bartlett

3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The Assembly bill, entitled "An act to amend an act entitled 'An act to incorporate the village of Mount Morris,' passed May 2, 1835," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock

Bristol

Davenport

Munroe

Rogers

Bartlett

Clark

Huntington

Newcomb

Smith

Beach

Cooley

McElwain

Otis

Vanderbilt

Beckman

Cornell

Morgan

Platt

Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The Assembly bill, entitled "An act to repeal an act entitled 'An act to amend an act entitled 'An act to incorporate the village of Greene, Chenango county, passed April 12, 1842, and passed April 7, 1852,' and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock

Bristol

Huntington

Newcomb

Smith

Bartlett

Clark

McElwain

Otis

Taber

Beach

Cornell

Morgan

Platt

Vanderbilt

Beckman

Davenport

Munroe

Rogers

Williams

Bennett

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The Assembly bill, entitled "An act to amend an act to incorporate the Young Men's association for mutual improvement in the city of Albany, passed March 12, 1835," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babeock	Clark	McElwain	Platt	Vanderbilt
Bartlett	Cornell	Morgan	Rogers	Ward
Beach	Davenport	Newcomb	Smith	Williams
Beekman	Huntington	Otis	Taber	Wright
Bristol				

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The Assembly bill, entitled "An act to authorise the New London plank road company to abandon a part of their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babeock	Bristol	Huntington	Newcomb	Smith
Bartlett	Clark	McElwain	Otis	Taber
Beach	Cornell	Morgan	Platt	Vanderbilt
Beekman	Davenport	Munroe	Rogers	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The Assembly bill, entitled "An act to change the name of the Binghamton church in the village of Binghamton, and to legalise its acts," was read a third time.

The President put the question whether the Senate would agree to the final passage of the said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babeock	Clark	Huntington	Newcomb	Smith
Bartlett	Cooley	McElwain	Otis	Taber
Beach	Cornell	Morgan	Platt	Vanderbilt
Beekman	Davenport	Munroe	Rogers	Williams
Bristol				

21

FOR THE NEGATIVE.

Wright:

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The bill entitled "An act to amend an act entitled 'An act to authorise the formation of railroad companies and to regulate the same,' having been read a third time,

Mr. Beach moved to recommit to the committee on railroads, with instruction to strike out the second section thereof, and report the same back to the Senate forthwith.

Debate was had thereon, when

Mr. Beach withdrew his said motion.

By unanimous consent,
Said bill was amended by striking out said second section.
Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	McElwain	Otis	Taber
Beach	Clark	Morgan	Pierce	Williams
Beekman	Davenport	Munroe	Rogers	Wright
Bennett	Huntington	Newcomb	Smith	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to confirm the sale of property to the New-York Institution of the deaf and dumb," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Davenport	Munroe	Smith
Beach	Clark	Huntington	Newcomb	Taber
Beekman	Cooley	McElwain	Otis	Vanderbilt
Bennett	Cornell	Morgan	Rogers	Wright

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill, entitled "An act to provide for draining Fort Swamp, in the town of Shelby, Orleans county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Munroe	Platt	Vanderbilt
Beekman	Huntington	Newcomb	Rogers	Williams
Bennett	McElwain	Otis	Smith	Wright
Bristol	Morgan	Pierce	Taber	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill, entitled "An act to amend an act entitled 'An act providing for the registry of births, marriages and deaths,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative.

tive, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Otis	Taber
Bartlett	Cornell	Morgan	Platt	Vanderbilt
Beekman	Davenport	Munroe	Rogers	Williams
Bristol	Huntington	Newcomb	Smith	Wright
Clark				

21

Ordered, That the clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill, entitled "An act authorising the superintendent of common schools in the town of Homer, to sell certain school lands, and also to confirm the title of others in the towns of Cortlandville and Homer," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bennett	Cornell	Morgan	Smith
Bartlett	Bristol	Davenport	Otis	Vanderbilt
Beach	Clark	Huntington	Platt	Williams
Beekman	Cooley	McElwain	Rogers	Wright

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The bill entitled "An act for the incorporation of library companies," having been read a third time,

On motion of Mr. Babcock, and by unanimous consent,

The fifteenth section of said bill was stricken out.

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Otis	Smith
Beach	Cooley	Morgan	Pieroe	Taber
Beekman	Cornell	Munroe	Platt	Vanderbilt
Bristol	Huntington	Newcomb	Rogers	Wright

20

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bill :

"An act to incorporate the Ithaca water works company."

At six o'clock, p. m.

The Senate adjourned to half-past ten o'clock, a. m. to-morrow.

FRIDAY, APRIL 1, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

Mr. Cooley presented the remonstrance of citizens of the town of Oyster Bay, against the passage of a law authorising the removal of the court house of Queens county, which was referred to the committee of the whole.

Mr. Beekman presented the petition of John Birkbeck and others, for a ferry from New-York to Fort Hamilton, which was referred to the committee on commerce and navigation.

Mr. Beekman presented the petition of medical societies, colleges and hospitals of New-York city, for the passage of a bill to promote medical enquiry and research, which was laid on the table.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Poughkeepsie aqueduct and hydraulic company," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the New-York State agricultural college," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on agriculture, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act providing for a survey of the land comprised in the Onondaga Indian reservation in the county of Onondaga, in this State, and appointing commissioners to divide and sell off the individual members of the Onondaga tribe residing upon said reservation, their several and respective shares, &c.," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

A bill was received from the Assembly for concurrence, entitled "An act to authorise any railroad corporations in this State to subscribe to the capital stock of the Whitehall and Plattsburgh railroad company," which was read the first time, and by unanimous consent was also read the second time, and was referred to the committee on railroads.

A bill was received from the Assembly for concurrence, entitled "An act in relation to non-resident taxes upon certain lands in the counties of Warren, Essex and Hamilton," which was read

the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the village of Ovid, Seneca co.," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the internal affairs of towns and counties, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Benjamin Frazee," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act to supply the village of Fort Ann, in the county of Washington with wholesome water," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act appropriating five hundred dollars to repair the road across the Onondaga Indian reservation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act authorising the appointment of commissioners of deeds for the town of Huntington, Suffolk county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act for the release of the Macedon and Bristol plank road company from the obligation to construct a part of their road," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the village of Wolcott, Wayne county," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled

"An act to release the interest of the people of the State of New-York in certain real estate of which George McCaughal died seised and possessed," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act for the enrolment of the militia, to abolish militia fines in certain cases, and to exempt members of uniformed companies from working on highways and serving on juries,' passed April 16, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Hammondsport and Bath plank road company to abandon a part of their road without completing the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Camillus and Marcellus plank road company to locate two half toll gates on their road," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to enable the Clyde and Rose plank road company to abandon a part of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Cazenovia and Chittenango plank road company to convert their road into a turnpike," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to amend the charter of the village of Union Springs,' passed April 12, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act requiring the police justices in the city of New-York to file records of all convictions of vagrancy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled

"An act in relation to the Utica academy," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on literature, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act to incorporate the village of Saratoga Springs," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act relative to the Commercial insurance company in the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on banks and insurance companies, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to change the name or title of the Kingsborough congregational church, to the Presbyterian church of Kingsborough, Fulton county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies. •

A bill was received from the Assembly for concurrence, entitled "An act to authorise the construction and maintenance of bridges over the Erie canal in the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act passed May 6, 1844, entitled 'An act to incorporate the village of Fayetteville,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of Frederick Witteram to Frederick George Kreuder," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act to incorporate the Waterville volunteer fire company,'" which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete

A bill was received from the Assembly for concurrence, entitled

"An act to amend an act entitled 'An act to exempt from sale on execution, the homestead of a householder having a family,' passed April 10, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to revise the charter of the city of Buffalo, and to enlarge its boundaries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to authorise religious corporations to change their names," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act to provide for raising money in the town of Galen, Wayne county, to complete the three bridges across Clyde river, in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the county treasurer of St. Lawrence county, to retain a portion of the State tax of eighteen hundred and fifty-two, of said county, for county purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act in relation to laying out private roads and discontinuing public highways," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act relative to the Northern jury district in the county of Washington," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to declare the village of Churchville a separate road district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Dutchess county agricultural society to

hold real estate for the use of said society," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on agriculture, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to require certain officers therein mentioned, to give security for the performance of their duty," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Attorney General to discharge a judgment against the Potsdam and Watertown railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the election of village officers in the village of Churchville," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the establishment of schools upon the Tonawanda reservation in this State, for the instruction of Indian children," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on Indian affairs, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to establish a board of education in the village of Fort Covington," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on literature, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act authorising the construction of a bridge across Black river, at the village of Carthage, in Jefferson county," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to establish an orphan asylum in the city of Auburn,

under the following title, "Auburn Orphan Asylum of the Holy Family," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act to divide the seventeenth ward of the city of New-York, into two wards," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee of Senators from the third, fourth, fifth and sixth districts.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act to incorporate the Auburn female university, passed January 29, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Peoples' college," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on literature, to report complete.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill:

"An act, authorising Willet Secor to establish a ferry across Long Island Sound from the town of New-Rochelle, in the county of Westchester, to Glen Cove, in the county of Queens."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act to incorporate the Rockbottom bridge company of the village of Binghamton."

The said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Platt	Upham
Bartlett	Clark	Munroe	Rogers	Vanderbilt
Beach	Davenport	Newcomb	Smith	Williams
Bennett	Huntington	Otis	Taber	Wright

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act to consolidate and amend the several acts relative to the village of Batavia, to alter the bounds, and to enlarge the powers of the corporation of said village."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Morgan	Platt	Upham
Beach	Davenport	Munroe	Rogers	Vanderbilt
Beekman	Huntington	Newcomb	Smith	Williams
Bennett	McElwain	Otis	Taber	Wright
Bristol	McMurray			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered, the following entitled bill :

"An act to revise, amend and consolidate the several acts relating to the charter of the village of Rome."

Said amendments having been read.

The President put the question whether the Senate would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Newcomb	Smith
Bartlett	Clark	McElwain	Otis	Vanderbilt
Beach	Cornell	McMurray	Platt	Williams
Beekman	Davenport	Munroe	Rogers	Wright
Bennett				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing, that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill :

"An act to authorise the directors of the Ox Bow and Evans mills plank road company, to assess the stockholders of said company for the payment of the debts thereof and for other purposes."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Newcomb	Smith
Bartlett	Clark	McElwain	Otis	Upham

Beach Bennett	Cornell Davenport	McMurray Munroe	Platt Rogers	Vanderbilt Wright	20
------------------	----------------------	--------------------	-----------------	----------------------	----

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

Mr. McElwain, from the committee on militia and public defence, to which was referred the report of commissioners to codify militia laws, reported, and asked and obtained leave to introduce a bill entitled "An act to provide for the enrolment of the militia, and the organization of uniformed corps, and the discipline of the military forces of the State of New-York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act authorising a permanent plan to be made for the location of streets, roads and avenues in the town of Bushwick, in the county of Kings,' passed April 14, 1852," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the petition of citizens of Bushwick, for authority to sell land for taxes and for other purposes, reported, and asked and obtained leave to introduce a bill entitled "An act in relation to taxes in the town of Bushwick," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee to report complete.

The President appointed as such committee, Messrs. Vanderbilt, Morgan and Cooley.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to equalise and regulate the assessment of railroad companies for the purpose of taxation," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred the Assembly bill entitled "An act to establish a free school in district number three, in the town of Cherry Valley," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be recommitted to the committee on literature, to report complete.

Mr. Beekman, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorise the town superintendent of common schools of the towns of Lee, Ava and Auriesville, in the county of Oneida, to appraise and make dis-

tribution of certain school district property in said county," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. McMurray, from the select committee, to which was referred the Assembly bill, entitled "An act to regulate the fees for searches in the office of the clerk of the city and county of New-York," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Beach, from the select committee, to which was referred the Assembly bill entitled "An act to incorporate the publishing committee of the Northern Christian Advocate, in Auburn, Cayuga county," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Beach, from the select committee, to which was referred the Assembly bill entitled "An act to amend 'An act in relation to the trustees of Cayuga academy,' passed April 1, 1844," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Ward, from the select committee, to which was referred the Assembly bill entitled "An act to incorporate the Dunkirk savings bank," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Platt, from the select committee, to which was referred the Assembly bill entitled "An act to require the board of supervisors of Oswego county to lay a tax upon the towns of Schroepel and Granby, for the repairs of the free bridge at Hinmansville in said town," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Beekman, from the select committee, to which was referred the Assembly bill entitled "An act to incorporate the De Veaux college for orphan and destitute children," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition of trustees of the Auburn woolen company for a law to facilitate the dissolution of said company, reported, and asked and obtained leave to introduce a bill entitled "An act to facilitate the dissolution of manufacturing corporations in the county of Cayuga, and to secure the payment of their debts without preference," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, reported a bill entitled "An act to amend an act entitled 'An act to provide for free schools in the town of Bushwich,' passed October 16, 1847," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee to report complete.

The President appointed as such committee, Messrs. Vanderbilt, Morgan and Cooley.

Mr. Munroe, from the select committee, to which was referred the bill entitled "An act to authorise the trustees of the village of Geddes, to sell their cemetery ground, and remove the remains of the dead buried therein, to a new burying ground," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Munroe, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act for the preservation of the public health,'" with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Cornell, from the select committee, to which was referred the bill entitled "An act to amend the act entitled 'An act to incorporate the Junction canal company,' passed May 11, 1846," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Williams, from the select committee, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorise a part of the records of the counties of Ontario and Steuben, to be transmitted and deposited in the clerk's office of the county of Yates,'" with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act to release the right, title and interest of the people of this State, to certain land and property in Niagara county, to Mary Large and Ann Hewson, and to enable them to hold the same," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Babcock, from the select committee, to which was referred the Assembly bill entitled "An act to authorise the clerk of the county of Orleans, to transcribe so much of the records of Genesee county, as relates to lands in the county of Orleans," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the select committee, to which was referred the Assembly bill entitled "An act to punish gross frauds, and to suppress mock auctions," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the select committee, to which was referred the bill entitled "An act to make the office of county clerk a salaried office, to reduce the fees, and change the manner of keeping the records of the same," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Clark, from the select committee, to which was referred

the bill entitled "An act in relation to school district number one, in the town of Seneca, in the county of Ontario," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Cooley asked for and obtained leave to introduce a bill entitled "An act amendatory of the act entitled 'An act authorising the business of banking, passed April 18, 1838,' and the acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

The Senate then resolved itself into a committee of the whole on the concurrent resolutions of Mr. Vanderbilt, in relation to an amendment of the Constitution,

And after some time spent thereon, Mr. Upham, from said committee, reported progress, and asked for and obtained leave to sit again.

The President announced the order of business to be the special order, it being the consideration of general orders.

Mr. Cooley moved to lay the same on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced several orders down to notices and the introduction of bills, and there being no business under said several orders, then announced said order to be on notices and introduction of bills.

Mr. Cooley moved to lay the said order of business on the table.

Mr. Cornell called for the ayes and noes.

Mr. President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Otis	Vanderbilt
Beach	Clark	Morgan	Platt	VanSchoonhoven
Beekman	Cooley	Munroe	Taber	Ward
Bennett	Huntington	Newcomb	Upham	Williams 20

FOR THE NEGATIVE.

Bartlett	Cornell	Davenport	McMurray	Rogers 5
----------	---------	-----------	----------	----------

The President then announced the order of the third reading of bills.

Mr. Cooley moved to lay said order on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then announced the order of motions and resolutions.

Mr. Cornell and Mr. Cooley arose and claimed the floor.

The President awarded the floor to Mr. Cornell, as having first observed him.

Mr. Cooley appealed from the decision of the chair.

Debate was had thereon, when

Mr. Cooley withdrew his said appeal.

The President announced that Mr. Cornell was entitled to the floor.

Mr. Cooley appealed from said decision.

Debate was had thereon, when

Mr. Cooley withdrew his said appeal, and offered the following resolution:

Resolved, That the Senate do now go into executive session with open doors, for the consideration of the nominations of his excellency, the Governor.

Mr. Cornell made the following point of order, that the resolution of the Senator from the 1st is not in order, for the reason that it is offered while the Senator from the 26th is in possession of the floor.

The President decided said point of order as not well taken.

Mr. Cornell appealed from the decision of the chair.

Debate was had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question "Shall the decision of the chair stand as the judgment of the Senate?" and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Newcomb	Smith	Vanderbilt
Beekman	Cooley	Otis	Taber	VanSchoonhoven
Bennett	Huntington	Platt	Upham	Wright
Bristol	McElwain			

17

FOR THE NEGATIVE.

Bartlett	Cornell	Davenport	Williams
----------	---------	-----------	----------

4

Mr. Cornell moved that the officers of the Senate be directed to clear the Senate chamber of spectators, and close the doors in pursuance of the 29th rule.

Mr. Bartlett seconded said motion.

Mr. Bennett moved to adjourn.

Mr. Beach called for the ayes and noes.

The President put the question on said motion, when the clerk was calling the roll, the hour of a quarter to two o'clock, p. m. having arrived, the Senate took a recess.

FOUR O'CLOCK, P. M.

The Senate again met.

The President announced the question to be on the motion of Mr. Cornell, before the recess, for closing the doors of the Senate, and clearing the Senate chamber of spectators.

Mr. Cooley moved to lay the said motion of Mr. Cornell, and the whole subject to which it relates, upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills:

"An act to amend an act entitled 'An act to provide for the construction of a railroad from the head of Seneca lake to the New-York and Erie railroad in the county of Chemung,' passed May 14, 1845."

"An act to confirm the sale of property to the New-York institution of the deaf and dumb."

"An act relative to the Newburgh and Shawangunk plank road company."

Ordered, That the Clerk deliver said bills to the Governor.

The President announced the special order it being the consideration of general orders.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to provide for the effectual draining of the Cayuga marshes and swamp lands."

"An act appropriating a portion of the wages of convicts for the use of their families."

Assembly bill, entitled "An act making appropriations for the payment of certain State bonds, and interest on certain State stocks."

And after some time spent thereon, Mr Smith, from said committee, reported that they had agreed to the first and third mentioned bills without amendment.

Mr. Smith, from said committee, reported in favor of the passage of said second mentioned bill with an amendment.

The President announced the question to be on agreeing to the report of the committee on the first mentioned bill.

Debate was had thereon, when

Mr. McMurray moved to lay the report of said committee on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President again announced the question to be on agreeing to the report of the committee on the first mentioned bill.

Debate was had thereon, when

By unanimous consent,

Said report was laid upon the table.

The President put the question whether the Senate to the report of the committee on said second mentioned bill, and it was decided in the affirmative.

Ordered, That said bill be engrossed for third reading.

The President the question whether the Senate would agree to

the report of the committee on said third mentioned bill and it was decided in the affirmative.

By unanimous consent,

The bill entitled "An act making appropriations for the payment of certain state bonds and interest on certain state stocks," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Newcomb	Taber	
Bartlett	Clark	McMurray	Otis	Ward	
Beckman	Cornell	Morgan	Platt	Williams	
Bennett	Huntington	Manroe	Smith	Wright	20

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

At six o'clock p. m.,

The Senate adjourned until half-past ten o'clock a. m. to-morrow.

SATURDAY, APRIL 2, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

The journal of yesterday was read and approved.

On motion of Mr. Ward, and by unanimous consent,

The vote on the final passage of the Assembly bill, entitled "An act to provide for draining Fort swamp, in the town of Shelby, Orleans county," was reconsidered.

On motion of Mr. Ward, and by unanimous consent,

Said bill was amended by striking out the word "judge" in the tenth line of the eleventh section, and inserting the word "court."

By unanimous consent,

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	Morgan	Platt	VanSchoenhoven
Bennett	Huntington	Manroe	Rogers	Ward
Bristol	McElwain	Newcomb	Snow	Williams
Clark	McMurray	Otis	Upham	Wright
Cooley				

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same with the delivered amendment.

The following concurrent resolutions were received from the Assembly:

Resolved (If the Senate concur), That section two, of article two of the Constitution of this State, be amended by inserting therein immediately after the word election, where it first occurs in said section, as follows: "or who shall pay, give or receive, or promise to pay or give any money or other property, or valuable consideration, with intent to influence any elector in giving his vote, or to deter any elector from voting." Also, by adding at the end of said section, as follows: "or from holding any office voted for at such election. Laws may also be passed for determining in a summary manner at the polls any question affecting the right of any person to vote thereat," so that said section two shall, as amended, read as follows: Laws may be passed, excluding from the right of suffrage all persons who have been or may be convicted of bribery, or larceny, or of any infamous crime, and for depriving every person who shall make or become directly or indirectly interested in any bet or wager depending upon the result of any election, or who shall pay, give or receive, or promise to pay or give any money or other property, or valuable consideration, with intent to influence any elector in giving his vote, or to deter any elector from voting, from the right to vote at such election, or from holding any office voted for at such election. Laws may also be passed for determining in a summary manner at the polls any question affecting the rights of any person to vote at such election.

Resolved (If the Senate concur), That said amendment to said section two, be referred to the legislature to be chosen at the next general election of Senators, and that pursuant to section one, of article thirteen of the Constitution, it be published for three months previous to the time of such election.

Ordered, That said resolutions be referred to the committee on the judiciary.

Mr. Clark presented the petition of the Macedon and Bristol plank road company for increase of tolls on their road, and power to change location of their gates, which was referred to the committee on roads and bridges.

Mr. Clark presented the petition of sundry citizens of Ontario and Wayne counties, relative to the performance of highway labor on plank roads, which was referred to the committee on roads and bridges.

Mr. McElwain presented the petition of policy holders of the Genesee mutual insurance company for repeal of law, passed March 19, 1852, to facilitate collection of debts against corporations, &c., which was referred to the committee on the judiciary.

A message from the Assembly was received and read, informing

that they had passed, without amendment, the following entitled bills:

"An act to amend an act entitled 'An act in relation to the streets and parks in the city of Brooklyn,' passed April 14, 1852."

"An act to erect the town of Gardiner, in the county of Ulster."

"An act to amend chapter 382, of the Laws of 1849, entitled 'An act to amend chapter 480, of the Laws of 1847, entitled 'An act relative to the office of town superintendent of common schools and amendatory of the Revised Statutes, entitled 'of public instruction,' passed April 11, 1849.'"

Ordered, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the county judge of the county of Washington, to appoint a crier of the court of records to be held in said county," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill be referred to the committee on the judiciary, to report complete

A bill was received from the Assembly for concurrence, entitled "An act authorising the appointment of two commissioners of deeds for the village of Saratoga Springs," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act for the preservation of fish in all the streams of waters in the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the trustees of the fund for aged and infirm clergymen of the Protestant Episcopal church in the diocese of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act incorporating the Sixpenny savings bank in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the official acts of Daniel A. Stuart, a justice of the peace in the town of New-Windsor," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the greater safety in the running of railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence, entitled "An act authorising the sale of the town house lot in the village of Seneca Falls, Seneca county, and for other purposes," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to secure a more just valuation of property for taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act to authorise the formation of the Niagara Falls House company, passed March 24, 1848, and the act amendatory thereof, passed February 24, 1849," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee to report complete.

The President appointed as such committee, Messrs. Upham, Vanderbilt and Bristol.

A bill was received from the Assembly for concurrence, entitled "An act authorising the comptroller to ascertain whether the persons employed by the State to survey certain lots sold to Peter Smith, made great mistakes in measuring or computing the same, and if so, to correct the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on grievances.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act passed April 14, 1852, entitled 'An act in relation to the partition of lands,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Frederick Gosskoff," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act to enable the society for the reformation of juvenile delinquents in the city of New-York, to complete their new buildings and to appropriate money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to release the interest of this State in certain real estate in the city of Rochester, of which the late John Simons, jr., died seised to Janet Simons, his mother, an alien," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Commissioners of the Land Office to examine and determine the claim of Theodore D. Barton, for increased compensation for work done by him in abating a nuisance on State lands in the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Broadway Savings Institution in the city of New-York,' passed June 20, 1851," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on banks and insurance companies, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act authorising the corporation of the city of New-York, to provide court rooms for the first district court in said city," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act incorporating the village of Plattsburgh, passed April 26, 1831, and the acts amendatory thereof," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Union Springs,' passed April 12, 1852," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to provide for raising money in the town of Galen, Wayne county, to complete the three bridges across Clyde river in said town," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the act incorporating the village of Schuylerville, and to extend its boundaries," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the act entitled 'An act to incorporate the village of Saratoga Springs,'" with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Wolcott, Wayne county," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the act entitled 'An act to incorporate the Waterville volunteer fire company,'" with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to confirm the election of village officers in the village of Churchville," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Ovid, Seneca co." with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act amendatory of the act entitled 'An act authorising the business of banking, passed April 18, 1838,' and the acts amending the same," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. McElwain, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to incorporate the New-York State agricultural college," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. McElwain, from the committee on agriculture, to which was referred the Assembly bill entitled "An act authorising the Dutchess county agricultural society to hold real estate for the use of said society," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to laying out private roads and discontinuing public highways," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Clark from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorise the Cazenovia and Chittenango plank road company to convert their road into a turnpike," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to enable the Salmon river plank road company to sell parts of their road to the Pulaski and Selkirk plank road company, and to abandon and discontinue a portion of their road," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on literature, to which was referred the Assembly bill entitled "An act to establish a free school in district number three, in the town of Cherry Valley," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to change the name or title of the Kingsborough Congregational Church, to the Presbyterian Church of Kingsborough, Fulton co." reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorise religious corporations to change their names," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to establish an orphan asylum in the city of Auburn, under the following title, "Auburn Orphan Asylum of the Holy Family," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Rogers, from the committee on State prisons, to which was referred the Assembly bill entitled "An act for the construction of a work house in the county of Monroe," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to renew the charter of the State road from the Orange turnpike to Nyack," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Jones from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Harry Hall," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Babcock, from the committee on public printing, to which was referred a resolution of March 30, for printing 1,500 extra copies of the Canal Commissioners' report, report of Commissioner Fitzhugh and State Engineer, reported in favor of printing 1,500 extra copies of the Canal Commissioners' report.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the affirmative.

Mr. Bristol, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act to provide for the establishment of schools upon the Tonawanda reservation in this State, for the instruction of Indian children," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bristol, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act providing for a survey of the land comprised in the Onondaga Indian reservation in the county of Onondaga, in this State, and appointing commissioners to divide and set off to the individual members of the Onondaga tribe, residing upon said reservation, their several and respective shares, &c.," reported adversely, and moved that said bill be not passed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act relative to the Commercial insurance company in the city of New-York," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Babcock moved to reconsider the vote on the adoption of the report made by him from the printing committee a short time since, in relation to printing 1,500 extra copies of the Canal Commissioners' report.

Debate was had thereon, when

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Platt	Upham	
Clark	Davenport	Munroe	Rogers	Ward	
Conger	Jones	Newcomb	Smith	Williams	15

FOR THE NEGATIVE.

Bartlett	Cooley	Otis	Taber	VanSchoonhoven	
Beekman	Huntington	Snow	Vanderbilt	Wright	
Bennett	Morgan				12

Mr. Cornell moved that the said resolution for printing 1,500 extra copies of the Canal Commissioners' report, report of Commissioner Fitzhugh and State Engineer, be referred back to the committee on public printing.

Mr. Van Schoonhoven moved to amend, so that said committee be requested to report forthwith.

Debate was had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	McElwain	Snow	Vanderbilt
Beach	Clark	Morgan	Taber	VanSchoonhoven
Beekman	Cooley	Newcomb	Upham	Wright
Bennett	Huntington	Platt		18

FOR THE NEGATIVE.

Babcock	Cornell	Jones	McMurray	Munroe
Conger	Davenport			7

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered, the following entitled bill:

"An act to authorise the formation of companies for ferry purposes."

Said amendments having been read,

Mr. Beach moved to lay the said bill and amendments on the table.

Debate was had thereon, when

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Taber	Williams
Beach	Clark	Newcomb	VanSchoonhoven	Wright
Beekman	Huntington	Platt		13

FOR THE NEGATIVE.

Bartlett	Cooley	Jones	Morgan	Vanderbilt
Bennett	Cornell	McMurray	Otis	Ward
Conger	Davenport			12

A message from the Assembly was received and read, informing that they do non-concur in the passage of the following entitled bills, to wit:

"An act to authorise railroad corporations to construct branch tracks for freighting and other purposes."

"An act authorising the board of supervisors in the county of Wyoming, to fix and determine the salary of the clerk of said county."

Mr. Babcock, from the committee on public printing, to which was referred back the following resolution offered in Senate March 30th last,

Resolved, That 1,500 extra copies of the annual report of the Canal Commissioners, and of the report of Commissioner Fitzhugh, and of the annual report of the State Engineer on railroads, be printed, reported in favor of the adoption of said resolution.

Mr. Cornell moved to lay said report and resolution upon the table.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cornell	Jones	McMurray	Ward	4
---------	-------	----------	------	---

FOR THE NEGATIVE.

Babcock	Clark	Morgan	Platt	Vanderbilt
Bartlett	Cooley	Munroe	Snow	VanSchoonhoven
Beekman	Huntington	Newcomb	Taber	Williams
Bennett	McElwain	Otis	Upham	Wright
Bristol				21

The President announced the question to be on agreeing to the report of the committee on said resolution.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Morgan	Platt	Vanderbilt
Beekman	Cooley	Munroe	Snow	VanSchoonhoven
Bennett	Huntington	Newcomb	Taber	Williams
Bristol	McElwain	Otis	Upham	Wright
				20

FOR THE NEGATIVE.

Conger	Jones	McMurray	Rogers	Ward
Cornell				6

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills:

"An act to incorporate the Ladies' depository of New-York."

"An act confirming the sale of gospel and school lots in the towns of Oswego, Hannibal and Granby, in the county of Oswego, and authorising the sale of parts of such lots now remaining unsold in said town."

"An act to indemnify William E. Worden and Morgan L. Worden, for a deficiency in a lot of land conveyed by the Surveyor General of the State."

"An act in relation to public schools in the city of Oswego."

"An act making an appropriation and authorising a loan on the credit of the county of Warren, and laying a tax on the towns of Chester and Johnsburgh, in said county, for building a bridge across the west branch of the Hudson river, in Warren county."

"An act to amend 'An act to incorporate the Montgomery county mutual insurance company,' passed March 30, 1836."

"An act to amend an act entitled 'An act to incorporate the Pacific mail steamship company,' passed April 12, 1848."

"An act to enable the Newburgh and Ellenville plank road company to abandon some parts of their road, and to issue a preferred stock."

"An act to authorise the formation of corporations for the erection of buildings."

"An act to provide for building a bridge in the town of Livingston, in the county of Columbia, and for the payment of the expense thereof."

"An act to amend an act entitled 'An act authorising the incorporation of rural cemetery associations,' passed April 27, 1847."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Babcock called for consideration of the motion to concur in the second section of the amendment made by the Assembly to the bill entitled "An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships.'"

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Platt	Vanderbilt
Bartlett	Conger	Morgan	Rogers	Ward
Beach	Davenport	Munroe	Snow	Williams
Beekman	Huntington	Newcomb	Upham	Wright
Bennett	Jones	Otis		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act in relation to the Utica academy," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to consolidate the several school districts and parts of districts in the village of Pulaski, into one district, and to provide for a school therein, and to amend the act entitled 'An act to incorporate the village of Pulaski, in the county of Oswego,' passed April 10, 1849," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act authorising the Attorney General to discharge a judgment against the Potsdam and Watertown railroad," reported in favor of the passage of the same without amendment.

By unanimous consent,
Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Poughkeepsie aqueduct and hydraulic company," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the State of New-York in certain real estate, of which George McCaughal died seised and possessed," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Williams, from the select committee, to which was referred the Assembly bill entitled "An act to discontinue in part a certain highway in the town of Groton, Tompkins county," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Huntington, from the select committee, to which was referred the bill entitled "An act to amend an act to provide for the erection of a City Hall, passed April 8, 1850," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Morgan, from the select committee, to which was referred the bill entitled "An act to enable the supervisors of the city and county of New-York, to raise money by tax," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Jones, from the select committee, to which was referred the bill entitled "An act relative to disputed wills," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Conger, from the select committee, to which was referred the bill entitled "An act for the reimbursement to counties of the expenses of criminal proceedings in certain cases," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Conger, from the select committee, to which was referred the bill entitled "An act to provide for the establishment of Union free schools," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Clark, from the select committee, to which was referred the bill entitled "An act to prevent the sale of intoxicating liquors as a beverage," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Williams, from the select committee, to which was referred the Assembly bill entitled "An act to establish a ferry across Cayuga lake, from the village of Union Springs, in Cayuga co., to Fayette, in Seneca county," with power to report complete, so reported.

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Davenport	Newcomb	Snow	Ward
Clark	Huntington	Otis	Taber	Williams
Conger	Jones	Platt	Vanderbilt	Wright
Cooley	McElwain	Rogers		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

By unanimous consent,

Mr. Clark gave notice that he would, at an early, move to suspend the 29th rule of the Senate.

A message from the Assembly was received and read, informing that they had non-concurred in the passage of the following entitled bill, to wit:

"An act concerning the mayor of the city of Buffalo."

The Senate then resolved itself into a committee of the whole on the concurrent resolutions of Mr. Vanderbilt, in relation to an amendment of the Constitution,

And after some time spent thereon, Mr. Bartlett, from said committee, reported progress, and asked for and obtained leave to sit again.

Mr. Cooley offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the special order on the canal resolution, be postponed until eleven o'clock, on Tuesday next, and be continued from that time till disposed of.

Mr. Conger moved to amend, by making said special order subject to the order for executive session.

Debate was had thereon, when

At a quarter to two o'clock, p. m., the Senate took a recess.

FOUR O'CLOCK, P. M.

The Senate again met.

The President announced the question to be on the amendment of Mr. Conger, to the resolution of Mr. Cooley, to make Mr. Vanderbilt's concurrent resolutions a special order.

Mr. Vanderbilt moved to amend said resolution, by making said concurrent resolutions a special order for Monday next, at four o'clock, p. m., instead of at eleven o'clock, a. m., Tuesday, as provided by said resolution.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt then accepted of the said amendment offered by Mr. Conger, to wit: "that said special order be subject to the special order of executive session, on Tuesday next, at twelve o'clock, m."

The President put the question whether the Senate would agree to the said resolution of Mr. Cooley as amended, and it was decided in the affirmative.

Mr. Bennett called for the consideration of the report of the railroad committee on the bill, entitled "An act to incorporate the Atlantic and Pacific railroad."

Debate was had thereon, when

Mr. McMurray moved to lay said report and bill on the table.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows,

FOR THE AFFIRMATIVE.

Babcock	Huntington	McMurray	Rogers	Vanderbilt
Cooley	McElwain	Platt	Taber	VanSchoonhoven
Cornell				11

FOR THE NEGATIVE.

Bartlett	Bennett	Conger	Munroe	Ward
Beach	Bristol	Jones	Snow	Williams
Beekman	Clark	Morgan	Upham	Wright
				15

Mr. Ward moved to amend said report, by the addition of the following section:

§ 17. If the said company hereby incorporated, shall at any time hereafter obtain, accept or receive, from any other State or government, the grant of any banking power or privilege, or shall become possessed of any such power in whole or in part, either solely or jointly with any other person or persons; or by the omission or addition of any name or names, or in like manner shall obtain, accept or receive the grant of any other privilege or franchise not granted or contemplated by this act, then the rights, franchises and powers hereby granted shall cease, and the said corporation shall thereby be dissolved; provided, that nothing herein contained, shall be construed to prevent the said corporation from acquiring rights of way, to the extent limited by this act, or lands necessary for the road bed and fixtures of the said road, with the grant of all necessary streams and water courses, and supplies of water necessary to the end of supplying water for the use of said road, or for the construction and maintenance thereof; nor to prevent the said corporation from obtaining the right from any State or government, to take and acquire the same by due course of law, under the right of eminent domain or otherwise, when not otherwise inconsistent with the limitations or restrictions of this act.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on the amendment to said report, heretofore offered by Mr. Babcock, as follows:

§ 18. This corporation shall be subject to the provisions of title three, article three, of chapter eighteen, of the first part of the Revised Statutes.

Mr. Ward moved to amend, by inserting the word "not," after the word "shall," in the first line of said proposed amendment.

Debate was had thereon, when

At six o'clock p. m.,

The Senate adjourned until ten o'clock, a. m., Monday morning.

MONDAY, APRIL 4, 1853.

The Senate met pursuant to adjournment.

No Clergyman present.

The journal of Saturday was read and approved.

Mr. Bennett presented the remonstrance of citizens of Cherry Valley against free schools, which was referred to the committee of the whole.

Mr. Babcock presented two petitions of inhabitants of Erie and Niagara counties, for a bridge across the Tonawanda creek at New Road, which were referred to the committee on canals.

Mr. Platt presented the remonstrance of several citizens of Oswego, against any law authorising the loan of the credit of said city, which was referred to the committee on the incorporation of cities and villages.

Mr. Platt presented the petition of citizens of Pulaski, praying for a consolidation of their school districts, which was referred to the committee of the whole.

On motion of Mr. Van Schoonhoven,

The bill in relation to Union free schools, in the village of Cherry Valley, was referred back to the committee on literature.

Mr. Jones, from the committee on claims, to which was referred the petition of Jacob Cox and Dewitt C. Cox, praying for relief, reported adversely, and moved that the prayer of the petitioners be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the petition of citizens of Schenectady for an act to supply said city with pure and wholesome water, reported, and asked for and obtained leave to intro-

duce a bill entitled "An act to supply the city of Schenectady with water," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the act passed May 6, 1844, entitled 'An act to incorporate the village of Fayetteville,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages to which was referred the bill entitled "An act to require certain officers therein mentioned to give security for the performance of their duty," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Williams, from the committee on claims, to which was referred the bill entitled "An act to authorise the Commissioners of the Land Office to examine and determine the claim of Theodore D. Barton, for increased compensation for work done by him in abating a nuisance on State lands in the city of Syracuse," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. McMurray, from the select committee to which was referred the Assembly bill entitled "An act to amend an act relating to the harbor masters of the port of New-York, passed March 16, 1850," reported adversely.

Mr. Vanderbilt moved to lay the question on agreeing with said report on the table.

Mr. President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Upham, from the select committee to which was referred the Assembly bill entitled "An act to amend an act to authorise the formation of the Niagara Falls house company, passed March 24, 1848, and the act amendatory thereof, passed February 24, 1849," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the select committee, to which was referred the Assembly bill entitled "An act to incorporate the junior New-York journeyman shipwright and caulkers' benevolent association," with power to report complete, so reported, which report was agreed to, and said bill was ordered to a third reading.

Mr. Snow, from the select committee, to which was referred the bill entitled "An act in relation to the support of the poor in the county of Montgomery, passed April 8, 1844," with power to report complete, so reported, which report was agreed to, and said bill was ordered engrossed for a third reading.

Mr. Conger, from the select committee, to which was referred the bill entitled "An act amending the act entitled 'An act for

the better security of mechanics and others erecting buildings and furnishing materials therefor, in the counties of Westchester, Putnam, Dutchess, Rensselaer, Rockland, Chemung, and the town of Newburgh, in the county of Orange,' passed April 16, 1852," with power to report complete, so reported, which report was agreed to, and said bill was ordered engrossed for a third reading.

Mr. Beekman, from the select committee, to which was referred the bill entitled "An act to amend chapter 319, Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848," with power, to report complete so reported, which report was agreed to, and said bill was ordered engrossed for a third reading.

Mr. Platt called for the consideration of the question on agreeing to the report of the committee of the whole on the bill entitled "An act to provide for the effectual draining of the Cayuga marshes."

By unanimous consent,

Mr. Taber moved to amend as follows:

In section nine, line three, strike out all after the words "shall be" to the end of the fourth line, and insert after the word "added" in the fifth line, the words "by the comptroller."

In section ten, line two, after the words "this act" insert "including any award for damages which may be returned as herein provided."

At the end of the eleventh section add "and the money which may be collected for the benefit of any person or persons to whom any award for damages may be made as herein provided, shall be paid over to the persons entitled thereto, according to their respective interests therein, and in full satisfaction and discharge of all claims for damages against the State."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee as amended, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Clark, and by unanimous consent,

Resolved, That that part of the resolution heretofore adopted by the Senate, relative to the hour of adjournment at six o'clock, p. m., be and the same is hereby rescinded.

On motion of Mr. Bristol, and by unanimous consent,

Resolved, That the bill, No. 224, G. O. 250, entitled "An act in relation to the Cayuga nation of Indians' annuity," be referred to a select committee, with power to report complete.

The President appointed as such committee, Messrs. Bristol, Cornell and Platt.

On motion of Mr. Beach, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of an act to provide for raising money

in the town of Greene, Wayne county, to complete the three bridges across Clyde river, in said town, and that it be referred to a select committee to report complete.

The President appointed as such committee Messrs. Beach, Kirby and Williams.

A bill was received from the Assembly for concurrence, entitled "An act relative to the purchase, possession and laying out of certain lands for a public park in the 19th ward of the city New-York and the powers and duties of the mayor, aldermen and commonalty relative thereto," which was read the first time and by unanimous consent was also read the second time, and referred to a select committee, consisting of the New-York delegation.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to incorporate the Rockbottom bridge company of the village of Binghamton."

"An act to confirm the sale of property to the New-York institution of the deaf and dumb."

"An act to erect the town of Gardiner, in the county of Ulster."

"An act to authorise the directors of the Ox Bow and Evans Mills plank road company to assess the stockholders of said company for the payment of the debts thereof, and for other purposes."

"An act to enable Henry K. S. Pritchard to assign or release and quit claim his interest in a certain trust."

"An act to amend section 22, of chapter 20, title 1, of the first part of the Revised Statutes, fourth edition, in relation to superintendents of the poor."

"An authorising Willet Secor to establish a ferry across Long Island Sound, from the town of New-Rochelle, in the county of Westchester, to Glen Cove, in the county of Queens."

"An act to amend an act entitled 'An act to provide for the construction of a railroad from the head of Seneca lake to the New-York and Erie railroad in the county of Chemung,' passed May 14, 1845."

"An act in relation to the Newburgh and Shawangunk plank road company."

"An act to authorise the consolidation of certain railroad companies."

"An act to amend chapter 382, of the Laws of 1849, entitled 'An act to amend chapter 480, of the Laws of 1847, entitled 'An act relative to the office of town superintendent of common schools,' and amendatory of the Revised Statutes, entitled 'of public instruction,' passed April 11, 1849.'"

Mr. Conger, from the committee on literature, to which was referred the petition of the trustees of district No. 3, in the town of Castleton, Richmond county, for a law to authorise them to borrow money to build a school house, reported, and asked and ob-

tained leave to introduce a bill entitled "An act to authorize the trustees of school district number three, in the town of Castleton, and county of Richmond, to mortgage the property belonging to said district for certain purposes," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

The bill entitled "An act to provide for the instruction of common school teachers," having been read the third time,

Mr. Beekman moved to amend, by striking out the words "State Superintendent of Common Schools" in the second section, and inserting "Regents of the University."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. McElwain moved that said bill be referred to the committee on literature, with instructions to add after the word "designate" in the first section, the words "including the trustees of the Warsaw Union schools the sum of two thousand dollars."

Mr. McElwain called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative as follows:

FOR THE AFFIRMATIVE.

Cooley	McElwain	Ward	3
--------	----------	------	---

FOR THE NEGATIVE.

Beekman	Cornell	Kirby	Platt	Taber
Bennett	Huntington	Munroe	Smith	VanSchoonhoven
Conger	Jones	Otis	Snow	14

The President then put the question whether the Senate would agree to the final passage of said bill as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Platt	VanSchoonhoven
Beekman	Cooley	McElwain	Smith	Ward
Bennett	Cornell	McMurray	Snow	Williams
Bristol	Huntington	Munroe	Taber	
Clark	Jones	Otis		22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate to the following entitled bill "An act to provide for draining Fort Swamp, in the town of Shelby, Orleans county."

Ordered, That the Clerk return said bill to the Assembly.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to amend an act to provide for the incorporation of bridge companies, passed April 11, 1848."

"An act appropriating a portion of the wages of convicts for the use of their families."

"An act to amend the act entitled 'An act to incorporate the Junction canal company,' passed May 11, 1846."

"An act in relation to school district number one, in the town of Seneca, in the county of Ontario."

"An act to release the right, title and interest of the people of this State, to certain land and property in Niagara co., to Mary Large and Ann Hewson, and to enable them to hold the same."

"An act to authorise the trustees of the village of Geddes, to sell their cemetery grounds, and to remove the remains of the dead buried therein, to a new burying ground."

Ordered, That said bills do have their third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act for the appraisalment of canal damages to David Wiles."

"An act authorising the Canal Commissioners to erect a bridge over the Canajoharie creek, in the village of Canajoharie."

"An act for the appraisalment of canal damages of Charles Hawley."

"An act for the appraisalment of canal damages to Marius Goodrich."

"An act for the appraisalment of canal damages of Henry S. Bragdon."

"An act for the appraisalment of canal damages to Goshen P. Van Alstyne."

"An act for the appraisalment of canal damages of A. P. Settle."

"An act for the appraisalment of canal damages of John J. Culver."

"An act for the appraisalment of canal damages of Charles Sacia."

"An act for the appraisalment of canal damages of Constant Brown."

"An act for the appraisalment of canal damages of Aaron Cramer."

"An act for the appraisalment of canal damages of William Adams."

"An act for the appraisalment of canal damages of Delevan Corey."

"An act for the appraisalment of canal damages of Silas V. Wemple."

"An act for the appraisalment of canal damages of Abraham N. Van Alstyne."

"An act for the appraisalment of canal damages to William D. Clark."

"An act for the appraisalment of canal damages of Alphonzo Wetmore."

"An act for the appraisement of canal damages of Alice O. Wilkin."

"An act for the appraisement of canal damages of James E. Shader."

"An act for the appraisement of canal damages of Charles G. Barnes."

"An act for the appraisement of canal damages of Lewis Fro-tier."

"An act for the appraisement of canal damages of Marcus L. Hoag."

"An act for the appraisement of canal damages of Frederick M. Burton and Sophrona Burton."

And after some time spent thereon, Mr. Williams, from said committee, reported progress upon said first mentioned bill, and asked for and obtained leave to sit again.

Mr. Williams, from said committee, reported in favor of the passage of said second mentioned bill, which report was agreed to.

Ordered, That said bill be engrossed for a third reading.

Mr. Williams, from said committee, reported in favor of the passage of said last mentioned bills with amendments, which report was agreed to.

Ordered, That said bills be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills :

"An act for the relief of James H. Salisbury."

"An act to reimburse expenses of Darius Clark, William P. Angel and Henry Storms, inspectors of State prisons, incurred in the investigation of charges preferred against them with a view to their removal, which charges were dismissed by the Governor; also, for paying Christopher Morgan and Theodore M. Pomeroy, employed by the Governor for conducting said investigation."

"An act to authorise the Canal Commissioners to hear and determine the claim of Eliphalet Sears, for increased compensation for work done on section one hundred and seventy-two, of the Erie canal enlargement, and to pay him for certain property taken for the use of the State."

And after some time spent thereon, Mr. Platt, from said committee, reported in favor of the passage of said first mentioned bill with amendments.

Mr. Babcock moved to lay the question of agreeing to the report of said committee on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Platt, from said committee, reported progress on said last mentioned bills, and asked for and obtained leave to sit again.

The hour of one and three quarters p. m., having arrived, the Senate took a recess.

FOUR O'CLOCK, P. M.

The Senate again met.

On motion of Mr. Morgan. and by unanimous consent,

Resolved, That the bill from the Assembly, authorising the laying out of a public park in New-York, be printed.

On motion of Mr. Van Schoonhoven,

The special order (being the concurrent resolutions to amend the Constitution), was postponed for one half hour.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act authorising the Canal Board to hear and determine the claim of Edward Murray."

"An act to provide for the appraisement of canal damages to Thomas Countryman."

"An act for the relief of the legal representatives of Oliver Pool, deceased."

And after some time spent thereon, Mr. Platt, from said committee, reported in favor of the passage of said bills without amendment.

The President put the question whether the Senate would agree to the report of the committee on the first and third mentioned bills, and it was decided in the affirmative.

The President then announced the question to be on agreeing to the report of the committee on said second mentioned bill.

Mr. Babcock moved to recommit said bill to the committee of the whole.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Morgan moved to recommit the bill to the committee on claims, with instructions to strike out the second section, and insert the following:

§ 2. The treasurer shall pay, on the warrant of the Auditor of the Canal Department, such sum as may be awarded by virtue of this act, for damages which occurred prior to June 1, 1846, out of the Canal Debt Sinking Fund, under the second section of chapter three hundred and seventy-five. Laws of this State, passed April 10, 1850; and shall, in like manner, pay for any sum which may be awarded for damages which have occurred since June 1, 1846, out of any money appropriated for ordinary canal repairs.

Mr. Van Schoonhoven moved that said bill be referred to the committee on the judiciary, with instructions to insert the amendment offered by Mr. Morgan, if in their opinion it be constitutional.

Mr. Morgan accepted said amendment.

Debate was had thereon, when

Mr. Morgan withdrew his said motion.

By unanimous consent,

Mr. Conger moved to amend, by striking out in the second sec-

tion, the words "the Erie canal enlargement," and inserting "canal damages."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of said committee as amended, and it was decided in the affirmative.

On motion of Mr. Cornell, and by unanimous consent,

Resolved, That the special order on the canal resolutions, be deferred until immediately after the reading of the journal tomorrow morning, and then continued till the same is disposed of, subject only to the executive session.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to provide for the appraisal and payment of canal damages to John E. Van Epps."

"An act for the relief of Zalmon J. McMasters and Jacob T. Merritt."

"An act for the relief of Aaron T. Hopkins, Henry Hewett, and Charles Russell, commissioners for the improvement of Rackett river."

And after some time spent thereon, Mr. Beekman, from said committee, reported that they had struck out the enacting clause of said first mentioned bill.

Mr. Beekman, from said committee, reported progress on said second mentioned bill, and asked for and obtained leave to sit again.

Mr. Beekman, from said committee, reported in favor of the passage of said third mentioned bill without amendment, which report was agreed to.

Ordered, That said bill do have its third reading.

The President announced the question to be on agreeing to the report of the committee on the first mentioned bill.

Mr. Snow moved to lay said report on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt moved to lay the present order of business (being the third reading of bills), on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Clark offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the 29th rule of the Senate be, and the same is hereby suspended indefinitely.

Mr. Cornell moved to adjourn.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Beach	Conger	Cornell	6
----------	-------	--------	---------	---

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Platt	Vanderbilt	
Beekman	Cooley	Morgan	Smith	Ward	
Bennett	Huntington	Munroe	Snow	Williams	
Bristol					16

Mr. Conger moved to amend said resolution, by adding the words "so far as the same is applicable to the consideration of executive business."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the said resolution of Mr. Clark, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Huntington	Munroe	Vanderbilt	
Bartlett	Bristol	McElwain	Otis	Ward	
Beach	Clark	McMurray	Platt	Williams	
Beekman	Cooley	Morgan	Snow		19

FOR THE NEGATIVE.

Conger	Cornell	2
--------	---------	---

Mr. Vanderbilt moved to adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Munroe offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the Senate will adjourn daily at seven o'clock, p. m. (unless otherwise ordered), after the question on the amendment of the Constitution, is disposed of.

Mr. Cornell moved to amend, by adding after the word "Constitution," the words "tax and toll bill."

Mr. Munroe accepted said amendment.

The President announced the question to be on the said resolution as amended.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Beekman	Cooley	McElwain	Munroe	
Beach	Clark	Huntington	Morgan	Platt	10

FOR THE NEGATIVE.

Bartlett	Conger	McMurray	Smith	Vanderbilt	
Bennett	Cornell	Otis	Snow	Ward	
Bristol					11

On motion of Mr. Conger,

Resolved, That the Comptroller be requested to furnish, as soon as practicable, a summary in tabular form of the ordinary and extraordinary expenses of government, since the adoption of the present Constitution.

On motion of Mr. Clark,

Resolved (If the Assembly concur), That a joint committee, consisting of one member of the Senate and two of the Assembly, be appointed to examine into the accounts of the treasurer and bank department, pursuant to section sixteen, chapter eight, part one, title four of the Revised Statutes.

Ordered, That said resolution be laid on the table.

Mr. Beekman called for the consideration of the resolution offered by him on the 19th March, respecting the printing of certain affidavits and statements respecting the pecuniary affairs of Union college.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Williams offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the third reading of bills be made the special order for Wednesday next, at eleven o'clock, and that Senate bills be read first.

Mr. Cornell moved to amend, by adding the following, "if the special order be then disposed of."

Mr. Morgan offered the following, as a substitute for the amendment offered by Mr. Cornell: on the first day after the amendments of the Constitution and tax and toll bill are disposed of.

Mr. Cornell accepted said substitute.

Debate was had thereon, when

Said resolution was withdrawn.

At half-past eight o'clock, p. m., on motion of Mr. Beach, The Senate adjourned to ten o'clock, a. m., to-morrow.

TUESDAY APRIL 5, 1853.

The Senate met pursuant to adjournment.

No Clergyman present.

The journal of yesterday was read and approved.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to amend an act entitled 'An act in relation to streets and parks in the city of Brooklyn,' passed April 14, 1852."

"An act to authorise the common council of Troy, to close up and discontinue a portion of Sixth street, and to lay out and open a new street in said city."

A message from the Assembly was received and read informing that they had passed, without amendment, the following entitled bills:

"An act to amend an act entitled 'An act to amend the charter of the city of Troy, in relation to the number and manner of electing assessors, and to abolish the office of general assessors,' passed February 16, 1852."

"An act for the relief of the Union bank of Troy."

"An act for the relief of the president, directors and first company of the Northern turnpike road."

"An act to amend an act entitled 'An act to incorporate the Buffalo trust company,' passed April 16, 1852."

"An act to enable the trustees of the Newburgh academy to sell their lands, and for other purposes."

"An act to authorise the Salina, Liverpool and Clay plank road company to abandon a part of their road."

"An act relating to the deaf and dumb."

"An act to establish a ferry across the Hudson river, between the village of Castleton, in the county of Rensselaer, and the town of Bethlehem, in the county of Albany."

"An act to amend an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act,' passed May 25, 1836."

"An act in relation the village of Watertown."

"An act to authorise the commissioners of highways of the town of Stockport, in the county of Columbia, to lay out and open highways in said town less than three rods wide."

"An act relating to the penitentiary in the county of Kings."

"An act to amend the articles of association of the Farmers' and Mechanics' bank of Genesee."

"An act to amend an act entitled 'An act to incorporate the New-York and Virginia steamship company,' passed April 10, 1850."

"An act to constitute that part of the town of Moravia, in the county of Cayuga, within the corporate limits of the village of Moravia, a separate road district."

Ordered, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the Ransomville plank road company in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act further to amend the charter of the city of New-York," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the commissioners of highways of the town of Wilna, to lay out a road three rods wide," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Port Henry furnaces," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act passed April 7, 1849, for the benefit of Lydia Harden an Indian woman," which was read the first time, and by unanimous consent was also read the second time, and referred to committee on Indian affairs.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Genesee suspension bridge company,' passed April 16, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of George Mulford to George Gardner," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the village of Oneida Castle to be a separate road district," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the police department of the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee of Senators from the third, fourth, fifth and sixth districts.

A bill was received from the Assembly for concurrence, entitled "An act for the better security of mechanics and others erecting buildings, performing work, or furnishing materials therefor in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the election of the police justice of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled

"An act to allow the Chemung Valley bridge company, in the county of Chemung, to alter the plan of their bridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to repeal an act in relation to road district number two, in Persia, Cattaraugus county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act authorising the sale of the county poor house of Sullivan county, and for other purposes," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill be referred to the committee on the internal affairs of towns and counties, to report complete.

The Senate then resolved itself into a committee of the whole on the concurrent resolutions of Mr. Vanderbilt, in relation to an amendment of the Constitution,

And after some time spent thereon, Mr. Bartlett, from said committee, reported progress, and asked for and obtained leave to sit again.

The President announced the special order, it being executive session.

And after some time spent thereon, the Senate resumed legislative business, when the President announced the following message from the Governor:

STATE OF NEW-YORK:

EXECUTIVE CHAMBER,
Albany, April 5th, 1853. }

To the Senate and Assembly:

I deem it my duty to call the attention of the Legislature to the necessity of making immediate appropriations to secure some essential improvement of the Erie and Oswego canals. There is reason to apprehend that the commerce of these canals will be seriously embarrassed, unless the improvements suggested in my annual message, and recommended by the Canal Commissioners and the State Engineer, in their reports to the Legislature, are made at the earliest practicable period. Great anxiety is expressed on this subject, by the forwarders and boatmen using our public works.

On the first day of June next there will be a complete line of enlarged locks on the Erie canal between Albany and Buffalo. A large number of boats, capable of carrying 240 tons, and adapted to the "enlargement" have been built during the past winter, and will be placed upon the canal and brought into use when the new locks are completed. I suggested, in my annual message, that it was "very important to allow the enlarged boats to be introduced at this time, although their whole capacity can

not be used immediately. There will soon be a deficiency of boats, unless the number built in each year shall equal the number destroyed by time and use. This will be very injurious to the commerce of the canals. The forwarders and boatmen are anxious to build their boats of full size, that they may not lose their investments in this kind of property. These vessels will not be able to carry over one hundred and thirty tons at first, yet they will meet the increased demands of commerce, while the quantity they can carry will not give them such advantages as to destroy the value of the present class of boats. These can be run with profit, until they are worn out or placed upon the lateral canals. Many of the smaller boats can be lengthened, and all will be able to make their trips in less time than heretofore. The number now navigating the canals is computed to be about 4,000, and their value about \$3,000,000. They constitute the means of support to their owners, many of whom have invested all their property in them. Any sudden change destroying the property of a meritorious class of citizens should be avoided."

The Canal Commissioners state in their report, that, "at many points on the middle and eastern divisions, and to a far greater extent on the western division, many of the bends in the canal are too short, and the canal too narrow, to pass boats of much greater length and width than those now in use."

"That they have not the authority to make the improvements necessary to afford the enlarged boats a ready passage. If such are to be brought into use next season, these improvements must be authorised by the Legislature or Canal Board.

"The old Erie canal was 40 feet wide at the top water line, and 28 feet at bottom. A very considerable portion of the line, where there has been no enlargement, is no wider now than originally constructed."

A large proportion of the boats now in use are 14 feet six inches wide, 'from outside to outside,' at the head of the floor timbers; the extreme width of a boat that can pass the enlarged locks loaded is, at the same point, the head of her floor timbers, 15 feet 7 inches. Many of this class are now building. It is plain to be seen that unless greater width is given to the bottom of the old canal, the navigation must be greatly obstructed by the wedging of boats in the narrower portions of the line."

"The trade during the past season has been seriously embarrassed for the want of breadth in the canal at many points to allow the largest of the old class of boats to pass each other loaded, and without the improvement of the old canal, if the enlarged boats are brought into use, it is certain that these embarrassments will be multiplied."

"It is therefore of the utmost importance, in order that the enlarged boats may be brought into use, that the Commissioners should be authorised to make the necessary improvements before the opening of navigation in the spring."

"This work can be done at a moderate cost, so as to allow the enlarged boats not drawing more than three and a half feet of water, to pass each other."

"The authority to do this work, if given at all, should be given promptly, that forwarders and boat builders may make their arrangements understandingly in reference to the business of the next season."

"The State has suffered largely in her revenues for the last three or four years, from the uncertainty existing as to the future condition of the canals; and as a direct consequence, the aggregate tonnage of the boats on the canal has been inadequate to do the business offered for transportation. For the want of means to do the business promptly, canal freights have advanced for the last two years, in the face of a reduction of canal tolls, and a large trade of many hundred thousand tons has thus been forced into other channels."

"Boats of the old size have not been built in sufficient numbers to meet the wants of the trade, because of the public expectation that the canal would soon have capacity for larger boats, rendering those of the old size comparatively useless. Enlarged boats have not been built in any considerable numbers, because of the uncertainty that exists up to this time as to when they can be brought into use."

"This widening and straightening of the old canal, which can be done at a comparatively small expense, is recommended merely as a temporary relief to the trade, by drawing upon the canal a sufficient number of boats to meet in part its immediate demands."

Mr. McAlpine, the State Engineer, says, in his report to the Legislature, that "he had submitted to the Canal Board an estimate of the cost of raising the banks for the entire length of the Erie canal, where the enlargement has not been made, so as to obtain a depth of five feet of water." That the estimated cost of the proposed improvement is as follows:

Eastern division,.....	\$90,648
Middle division,.....	78,500
Western division,.....	364,819
	<hr/>
	\$533,967

He also states "that the use of enlarged boats will require an enlargement and improvement of the channel way. The elevation of the water on the plan recommended would furnish an additional width. On the straight portions of the canal, two boats of the enlarged size, drawing 3 feet of water, could pass each other. At the curves, and at some places where the width of the present canal has been contracted, it will be necessary to increase the width to permit boats of this size to pass each other."

"It is believed that boats of the enlarged size will be gradually introduced to replace those annually worn out, and that these improvements in the channel way can be made from year to year, so as to increase the capacity, and reduce the cost of transportation, until the enlargement can be completed." The State Engineer also states "that the performance of this work will reduce the cost of the completion of the enlargement about \$200,000. In other words, the sum of \$334,000 would be required in this plan for the temporary facilities which it would afford while the enlargement is in progress."

It appears from Mr. McAlpine's statement, that the expenditure of a sum for temporary purposes, less in amount than one year's interest upon the debt it is proposed to create for the completion of our public works, will double their capacity, will admit of the introduction of the enlarged boats, will cheapen transportation, without creating any additional burthen of debt, and will obviate the danger that the commerce of the canals may be injuriously embarrassed, if not disastrously obstructed during the coming season.

The State Engineer also informs the Legislature that "the following work is required for the *safety* of the canal, viz: 'The construction of four aqueducts in Montgomery county, west of Schoharie creek; of the second locks at Nos. 2, 34 and 39 to 42; several waste-weirs and culverts; a dam and a feeder at Rome; a culvert at Albion; the aqueduct over the Oak Orchard creek, and the ship locks at Black Rock.'"

The opinions which are expressed by the Canal Commissioners and the State Engineer in their reports, and the recommendations which I submitted to the Legislature at the opening of its session, in favor of immediate legislation, to secure such improvements of the Erie and Oswego canals, that they could be navigated by the enlarged boats, are strengthened by the result of an examination made during the winter, to ascertain the number of boats now used upon our canals. It appears that their number in 1848 was 3,991, while their present number is 3,404, showing a diminution of 587. There has also been a falling off from their tonnage. This alarming result shows, that unless immediate measures are adopted to admit of the new and enlarged vessels, the cost of transportation must be increased, and the business diverted into other channels, in consequence of the want of boats. A large portion of those now in use were built in 1847, or prior to that time, and are becoming old and unfit for the purposes of transportation. The trade and tonnage report prepared by the Auditor, contains much interesting and valuable information upon this subject.

The interests and the security of the commerce of the Erie and Oswego canals demand the immediate completion of the improvements which have been recommended. The amount required for this purpose can only be obtained by some mode of taxation.

The revenues of the canals have already been anticipated for other purposes, and a large amount of drafts upon them are now outstanding and under protest. If the canal revenues were not thus absorbed the constitution would not admit of their application to these purposes.

The amount required for these important, if not indispensable, objects will not much exceed one year's interest on the debt it has been proposed to create for the completion of our public works, or the amount of \$550,000, which our canals annually pay into the treasury for the support of the State government, and the payment of the interest of the State debt created for the New-York and Erie railroad, and for other purposes.

The judicious expenditure of \$533,000 will nearly double the capacity of the Erie canal; will admit of the convenient use of the enlarged boats; will cheapen navigation and protect its commerce from the danger of *an entire interruption*, by the failure of the structures alluded to by the State Engineer. Fifty thousand dollars will in like manner improve the channel of the Oswego canal. The sum of seventy-five thousand dollars, will connect the Black River canal with the Black river at High Falls; will enable the inhabitants along fifty-four miles of the course of that river and its tributaries, to use it for the purpose of transporting their lumber and other products to market. One hundred thousand dollars will extend the Genesee Valley canal to Cuba, a distance of sixteen miles.

These canals are the property of the people of this State. They now contribute more than half a million annually towards the support of government and the payment of the State debt, besides the annual charge of \$1,300,000, to pay the interest and principal of the canal debt, which will fall upon the people of the State, if the commerce of the canal is diverted from them.

When the canal debt is paid, the revenues of the public works will belong to the people of the State, to be applied by them to such purposes as they may deem proper. It cannot be that there is an unwillingness on the part of the people of this State to have the sum of \$758,000, raised by some form of taxation, where the objects to be attained by its expenditure are so important to the internal commerce of our State and to the interests of different localities and to the preservation of their own property.

If it is expedient to pay ten million dollars to finish our public works, it is certainly wise and prudent to secure a large proportion of the advantages of their completion, when it can be done by so small an expenditure,

The improvements recommended will in no degree conflict with the proposed enlargement of the Erie canal. On the contrary, they will hasten the completion of that work, by increasing our domestic commerce, cheapening transportation, and enlarging the revenues of our public works.

I still entertain the opinion I expressed in my annual message,

that the honor and interest of the State of New-York require the completion of the Erie canal enlargement. I also think the Oswego (and the Cayuga and Seneca canals) should be increased to the same proposed dimensions of 7 feet depth, and 70 feet width; and I recommend that an annual appropriation of at least one million of dollars shall be secured by one of the modes suggested by me at the commencement of the session for the purpose of effecting these objects.

I suggest a moderate annual appropriation, because past experience and the history of our canals demonstrate that the efficiency of appropriations depends less upon their amount, than upon the wisdom, economy and fidelity with which they are applied.

Under the prudent policy which was pursued before 1835, this State constructed and nearly paid for six hundred and fifty-six miles of canals, connecting the Hudson river with the Erie, Ontario, Cayuga, Seneca and Crooked lakes, and with the valleys of the Chemung and Susquehanna rivers. This great system of internal improvements cost only \$11,652,652.76; although it was conducted under great disadvantages, as the Erie canal traversed a great extent of dense forests and pestilential swamps.

Since that time we have expended on our canals \$25,245,000, besides \$9,477,000 paid for interest, yet no public work commenced subsequent to 1835 has been completed.

HORATIO SEYMOUR.

Mr. Cooley moved to refer the said message to the select committee on the subject of the canals, of which Mr. Vanderbilt is chairman.

Mr. McMurray moved to refer to the standing committee on canals.

Mr. Conger moved to refer to the committee of the whole now having charge of the concurrent resolutions of Mr. Vanderbilt for an amendment of the Constitution in relation to the canals.

Debate was had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion of Mr. Conger, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Jones	McMurray	Wright	
Conger	Davenport				7

FOR THE NEGATIVE.

Babeock	Clark	Morgan	Platt	Upham	
Beach	Cooley	Munroe	Rogers	Vanderbilt	
Beckman	Huntington	Newcomb	Snow	Vantchoonhoven	
Bennett	Kirby	Otis	Taber	Ward	
Bristol	McElwain				23

The President put the question whether the Senate would agree

to refer said message to the committee on canals, and it was decided in the negative.

The President then put the question on referring said message to the select committee to which was referred the concurrent resolutions of Mr. Vanderbilt for an amendment of the Constitution, and it was decided in the affirmative.

On motion of Mr. Morgan, and by unanimous consent,

The resolution of the Senate, requiring a recess at a quarter before two o'clock, p. m., was suspended for to-day.

The Senate then resolved itself into a committee of the whole on the concurrent resolutions of Mr. Vanderbilt, in relation to an amendment of the Constitution,

And after some time spent thereon, Mr. Bartlett, from said committee, reported progress, and asked for and obtained leave to sit again.

At two o'clock, p. m.,

The Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

The bill entitled "An act to authorise the construction of draw-bridges over the Flushing and Newtown creeks, in the counties of Queens and Kings," was ordered to a third reading.

On motion of Mr. Morgan, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill, No. 250, being "An act further to amend the act incorporating the East river mutual insurance company and to change its name, passed March 18, 1848," and that said bill be ordered to a third reading.

By unanimous consent,

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to repeal an act incorporating the Seneca bridge company, passed May 5, 1834," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorising the Camillus and Marcellus plank road company to locate two half toll gates on their road," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Bennett, from the committee on roads and bridges, to which

was referred the Assembly bill entitled "An act to declare the village of Churchville a separate road district," with power to report complete, so reported, and said bill was ordered to a third reading.

On motion of Mr. McMurray, and by unanimous consent,

The bill entitled "An act confirming a conveyance of real estate to Henrietta Fanny Courtin," was ordered to a third reading.

The bill entitled "An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

The Senate then resolved itself into a committee of the whole on the concurrent resolutions of Mr. Vanderbilt, for an amendment of the Constitution,

And after some time spent thereon, Mr. Bartlett, from said committee, reported in favor of the passage of said resolutions with amendments.

The President announced the question to be on agreeing to the report of the committee.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Platt	Upham
Beach	Clark	Munroe	Smith	Vanderbilt
Beekman	Cooley	Newcomb	Snow	Ward
Bennett	Huntington	Otis	Taber	Williams

29

FOR THE NEGATIVE.

Bartlett	Cornell	Davenport	Jones	McMurray	5
----------	---------	-----------	-------	----------	---

On calling the name of Mr. Wright, by the Clerk, he arose and asked to be excused from voting on said resolutions.

Mr. Cooley moved that Mr. Wright be excused.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt moved that the third reading of said resolutions be made a special order for to-morrow, at eleven o'clock, a. m.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The concurrent resolutions heretofore offered in the Senate by Mr. Upham, requiring the Secretary of State to cause all laws in force in this State, in relation to the support of the poor, to be published, &c., were received from the Assembly with notice of concurrence therein without amendment.

Ordered, That said resolutions be engrossed.

A bill was received from the Assembly for concurrence, entitled "An act to provide for erecting a new court house and jail for

the county of Wayne," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Wright,
The Senate adjourned until ten o'clock, a. m. to-morrow.

WEDNESDAY, APRIL 6, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Thayer.

The journal of yesterday was read and approved.

Mr. Morgan presented a memorial and resolutions of the chamber of commerce of the city of New-York, in relation to proposed amendments of the Constitution, and to the bill imposing tolls on railroads, which was laid on the table.

Mr. Morgan presented the remonstrance of George Griswold and others of the city of New-York, against the passage of a bill to equalize taxation, to impose tolls on railroads, and in favor of an amendment of the Constitution, which was referred to the committee of the whole.

Mr. Vanderbilt presented the petition of citizens of Brooklyn, in favor of a lien law for said city, which was referred to the committee on the judiciary.

Mr. Vanderbilt presented six remonstrances against any such lien law, which were referred to the committee on the judiciary.

Mr. Huntington presented a statement of citizens of Utica, withdrawing their remonstrances against the passage of a bill authorizing the city of Utica to take stock in the Black river and Utica railroad, which was referred to the committee on the incorporation of cities and villages.

Mr. Bristol presented a remonstrance of citizens of Binghamton, against imposing tolls on railroads, which was referred to the committee of the whole.

The President announced the special order, it being the consideration of general orders.

Mr. Beach moved that such special order be postponed for fifteen minutes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for erecting a new court house and jail for the county of Wayne," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorise any railroad corporation in this State to subscribe to the capital stock of the Whitehall and Plattsburgh railroad company," reported the same for the consideration of the Senate, which was committed to the committee of whole.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorise the village of Oneida Castle to be a separate road district," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to release the Macedon and Bristol plank road company from the obligation to construct a part of their road," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Jones, from the committee on claims, to which was referred the petition of John Munro and others for relief, reported adversely, and moved that the prayers of the petitioners be not granted.

Mr. President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to revise the charter of the city of Buffalo and to enlarge its boundaries," asked to be discharged from its further consideration, and moved that the same be referred to a select committee with power to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Babcock, Bartlett and Platt.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act declaring the village of Adams a valid corporation, to enlarge its powers, and to make said village a separate road district," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to supply the village of Fort Ann, in the county of Washington, with pure and wholesome water," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to incorporate the Firemen's benevolent association of the village of Le Roy," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the trustees of the fund for aged and infirm clergymen of the Protestant Episcopal church in the diocese of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of the receiver of the Utica Insurance company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of this State to land in the city of Rochester, of which the late John Simons, jr., died seised to Janet Simons, his mother, an alien," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Beach, from the select committee, to which was referred the Assembly bill entitled "An act to provide for raising money in the town of Galen, Wayne co., to complete the three bridges across Clyde river in said town," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Davenport, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorise the construction and maintenance of bridges over the Erie canal in the city of Syracuse," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Kirby, from the select committee, to which was referred the Assembly bill entitled "An act to provide for free schools in the village of Waterloo," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgau, from the select committee of eight, to which was referred the general orders for selection of bills proper to be referred to select committees to report complete, reported the following.

"An act to confirm the title of Cornelius Vanderbilt to certain land under water in the county of Richmond, and to make certain letters patent valid."

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act in relation to the moneys levied by law on masters, mates, mariners and seamen arriving at the city and port of New-York, and the disposal of the same by the trustees of the Seamen's Fund and Retreat, and by the trustees for the aid of the female relatives of seamen."

"An act to authorise the consolidation of the Syracuse and

Binghamton, and the Oswego and Syracuse railroad companies."

"An act relative to the city improvements and assessments therefor in the city of New-York."

Ordered, That said bills do have their third reading.

By unanimous consent,

Mr. Kirby asked for and obtained leave to introduce a bill entitled "An act amendatory of the act entitled 'An act to authorise the business of banking, passed April 18, 1838,' and the acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

By unanimous consent,

Mr. Jones presented the petition of sundry citizens of Middletown, Orange county, against the imposition of tolls on the N. Y. and Erie railroad, which was committed to the committee of the whole.

On motion of Mr. Morgan, and by unanimous consent,

Resolved, That' the engrossed bill, entitled "An act to enable the supervisors of the city and county of New-York, to raise money by tax," be recommitted to the select committee that reported it with power to report the same complete.

On motion of Mr. Munroe, and by unanimous consent,

Resolved, That the Assembly bill, entitled "An act to amend the charter of the village of Fayetteville, in Onondaga county, be referred to a select committee, with power to report complete.

The President appointed as such committee, Messrs. Munroe, Morgan and Bristol.

Mr. Beach moved to take from the table the question of concurrence in the amendment made by the Assembly, to the bill entitled "An act to authorise the formation of companies for ferry purposes."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Beach, and by unanimous consent,

The said amendment of the Assembly was amended as follows: insert after the word "shall" in the twelfth line of the fourteenth section, as proposed by the Assembly, the words "in addition to the liability hereinabove imposed."

The President put the question whether the Senate would agree to the said amendment as amended, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Munroe	Smith
Bartlett	Clark	Kirby	Newcomb	Snow
Beach	Cooley	McElwain	Otis	Taber
Beekman	Davenport	McMurray	Platt	Ward
Bennett	Huntington	Morgan		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with the amendments therewith delivered.

By unanimous consent,

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the Peoples' college," with power to report complete, so reported, and said bill was ordered to a third reading.

On motion of Mr. Cooley, and by unanimous consent,

Resolved, That the bill entitled "An act providing for the location and erection of a new court house and jail in the county of Queens," was taken from the general orders, and referred to the committee on the internal affairs of towns and counties, with power to report complete.

The Senate then resolved itself into a committee of the whole on the following entitled bills :

"An act to amend title six, of chapter seven, of part one of the Revised Statutes."

Assembly bill, entitled "An act to authorise the repairs on a bridge over the State drain in the town of Lysander."

"An act for the relief of Zalmon J. McMaster and Jacob T. Merritt."

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said first and third mentioned bills, and asked and obtained leave to sit again.

Mr. Otis, from said committee, reported in favor of the passage of said second mentioned bill without amendment, which report was agreed to.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the concurrent resolutions for an amendment of the Constitution.

Ordered, That said resolutions do have their third reading.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to constitute that part of the town of Moravia, in the county of Cayuga, within the corporate limits of the village of Moravia, a separate road district."

"An act relating to the penitentiary in the county of Kings."

"An act to amend an act entitled 'An act to incorporate the New-York and Virginia steamship company,' passed April 10, 1850."

"An act entitled 'An act to revise, amend and consolidate the several acts relating to the charter of the village of Rome.'"

"An act to amend the articles of association of the Farmers' and Mechanics' bank of Genesee."

"An act to establish a ferry across the Hudson river, between the village of Castleton, in the county of Rensselaer, and the town of Bethlehem, in the county of Albany."

"An act in relation the village of Watertown."

"An act to authorise the commissioners of highways of the town of Stockport, in the county of Columbia, to lay out and open highways in said town less than three rods wide."

"An act to amend an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act,' passed May 25, 1836."

"An act to authorise the Salina, Liverpool and Clay plank road company to abandon a part of their road."

"An act to enable the Newburgh and Ellenville plank road company to abandon some parts of their road and to issue a preferred stock."

"An act indemnifying Willaim E. Worden and Morgan L. Worden, for a deficiency in a lot of land sold by the Surveyor General of the State."

"An act to amend an act entitled 'An act to incorporate the Pacific mail steamship company,' passed April 12, 1848."

"An act to amend an act to incorporate the Montgomery county mutual insurance company,' passed March 30, 1836."

"An act confirming the sale of gospel and school lots in the towns of Oswego, Hannibal and Granby, in the county of Oswego, and authorising the sale of parts of such lots now remaining unsold in said town."

"An act to amend an act entitled 'An act authorising the incorporation of rural cemetery associations,' passed April 27, 1847."

"An act to provide for building a bridge in the town of Livingston, in the county of Columbia, and for the payment of the expense thereof."

"An act declaring Indian river a public highway."

"An act to incorporate the Ladies' depository of New-York."

"An act in relation to public schools in the city of Oswego."

"An act to enable the trustees of the Newburgh academy to sell their lands, and for other purposes."

"An act for the relief of the president, directors and first company of the Northern turnpike road."

"An act to authorise the formation of corporations for the erection of buildings."

"An act to amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships.'"

"An act for the relief of the Union bank of Troy."

"An act to amend an act entitled 'An act to amend the charter of the city of Troy, in relation to the number and manner of electing assessors, and to abolish the office of general assessor,' passed February 16, 1852."

"An act relating to the deaf and dumb."

At eleven o'clock, a. m., the President announced the special order, it being the third reading of the concurrent resolutions for an amendment of the Constitution, to borrow money on account of canals.

Debate was had thereon, when

At a quarter to two o'clock, p. m., the Senate took a recess to four o'clock p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the purchase and keeping in repair of burial grounds in the town of Osceola, in the county of Lewis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the construction and maintenance of bridges over the Erie canal in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to legalise the official acts of Stephen T. Bostwick, as justice of the peace, and to authorise him to take the oath of office required by law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to release the interest of the State in certain lands of which Noah Mead died possessed, and to grant the right to Jemima Patterson, to hold the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to provide for assessing the expense of establishing grade lines in the seventh, eighth and tenth wards of the city of Brooklyn,' passed April 16, 1852," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to authorise a tax for police expenses in the eighth and ninth wards in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled

"An act to authorise the board of supervisors of the county of Oneida, to levy a tax in the town of Western, for the support of roads and bridges," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend the several acts relating to the village of Genesee," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the city of Buffalo, passed April 20, 1832,' and the various acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act in relation to the public schools in the city of Syracuse,' passed April 11, 1848," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on literature, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the education of the children of the Tuscarora Indians, in the county of Niagara, and to aid in the construction of school houses for said Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the heirs at law of William Griffin, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act relative to lands held in trust by William H. Leggett, for the benefit of Mary Jagger Barber, wife of William T. Barber, and her descendants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act relative to lands held in trust by William H. Leggett, for the benefit of Susan Post Leggett, and her descendants," which was read the first time, and by unanimous consent was also read

the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act for the payment to William George Barnhart, Jacob Barnhart and others, the amount to which they are entitled, &c," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act relative to the reports and contracts of certain railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The President announced the special order, it being the third reading of the concurrent resolutions for an amendment of the Constitution.

Debate was had thereon, when

Mr. Babcock moved to take a recess until half-past seven o'clock, p. m.

Mr. Wright moved to adjourn.

Mr. Huntington called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion of Mr. Wright, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Jones	Wright	2
-------	--------	---

FOR THE NEGATIVE.

Babcock	Clark	Kirby	Otis	Upham
Bartlett	Conger	McElwain	Platt	Vanderbilt
Beckman	Cooley	Morgan	Snow	Ward
Bennett	Davenport	Munroe	Taber	Williams
Bristol	Huntington	Newcomb		

23

The President announced the question to be on Mr. Babcock's motion for a recess.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Otis	Vanderbilt
Bartlett	Cooley	Morgan	Platt	VanSchoonhoven
Beckman	Davenport	Munroe	Taber	Ward
Bennett	Huntington	Newcomb	Upham	Williams
Clark				

21

FOR THE NEGATIVE.

Bristol	Jones	Kirby	Snow	Wright
Cornell				

6

AT HALF PAST SEVEN O'CLOCK, P. M.

The Senate again met.

The President announced the special order, it being the third reading of the concurrent resolutions for an amendment of the Constitution.

Debate was had thereon, when

Mr. Conger moved to recommit said concurrent resolutions, with instructions to report the following bill.

AN ACT authorising a loan of four millions five hundred thousand dollars to expedite the completion of the Erie canal enlargement.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows :

§ 1. The Commissioners of the Canal Fund are hereby authorised to borrow, on the credit of this State, annually, from and after the first day of December, 1853, and for the term of six years, the sum of seven hundred and fifty thousand dollars, making in all to be borrowed, the sum of four and one-half millions of dollars; said loans to be contracted for at a rate of interest not exceeding five per cent, and shall be reimbursable at such period as shall be determined by the said Commissioners, not exceeding eighteen years from the time of making such loans respectively. All the provisions of law in relation to loans made by the Commissioners of the Canal Fund, and the issue and transfer of certificates of stock shall apply to the loans authorised by this act.

§ 2. The moneys realized from such loans shall be applied exclusively to the completion of the Erie canal enlargement, or the payment of the principal or interest of such loans, and to no other purpose whatever. The Canal Board shall cause such portions of the excavation, and such of the structures as will give the greatest convenience and facility to the navigation, with reference to the present condition of the canal, and the accommodation of the current business to be immediately put under contract, and to be earliest executed; and shall also cause such portions of the work as will necessarily require the longest time to finish them, so far as the same are immediately important to the navigation, to be next put under contract; and the contracts shall be made in view of careful and detailed estimates, to be made of the nature and quantity of the several kinds of work embraced in them, and shall in such case be awarded to the lowest competent bidder, who shall give satisfactory security for the performance of the work, and agree that at least ten per cent of the value of the labor from time to time performed under such contract,

shall be retained by the State until such contract is fully performed of the work ; and after the said contracts shall have been separately examined by the Canal Board and adjudged to conform to the foregoing provisions, they shall take effect, and not before.

§ 3. Three-quarters of a million of dollars are hereby appropriated, to be paid out of the treasury on the warrant of the Auditor of the Canal Department, within one year from the time when this section shall take effect, from the moneys realized from the loans authorized by this act ; and three-quarters of a million of dollars are hereby appropriated, to be paid out of the treasury in like manner, within two years from the time when this section shall take effect, for the completion of the Erie canal enlargement and the payment of the interest on the loans authorized by this act, and which shall become payable prior to the receipt into the treasury of the first annual tax hereinafter directed to be levied and collected for the payment of the interest and principal of the loans authorized by this act ; but any sum so advanced to pay interest as aforesaid, shall be refunded out of the proceeds of the said taxes when received into the treasury.

§ 4. An annual tax shall be levied and collected in the same manner as other State taxes are levied and collected, sufficient to pay the interest and redeem the principal of the loans hereby authorized, within eighteen years from the time of the contracting thereof. The Comptroller shall ascertain and determine what sum being applied in payment of the principal and interest in the first year after the tax can be collected as aforesaid, and in each succeeding year thereafter, within the period of eighteen years from the time of contracting of the said loans, will be sufficient to pay the interest and redeem the principal of the said loans within the said period ; and shall, in each year, apportion the sum so required among the several counties of this State, according to the then last corrected assessment rolls returned to his office, and shall give notice of such apportionment to the boards of supervisors of said counties respectively, who shall thereafter cause the amounts so apportioned in each year to be levied, collected and paid to the treasurer of this State in the same manner as other State taxes. The money collected and paid into the treasury under this section, shall constitute a sinking fund, to pay the interest and redeem the principal of the loans contracted pursuant to this act, and shall be sacredly applied to that purpose ; and if at any time the said sinking fund shall be insufficient to comply with the requirements of this section, the Comptroller shall increase the sum, thereafter to be levied and collected by tax in each year, so as to make the fund adequate for the purpose aforesaid.

§ 5. The fourth section of this act, imposing a tax, may be repealed whenever the Constitution shall be amended, so as to create a sinking fund to pay the interest and redeem the principal of the said loans and to authorize such repeal.

§ 6. This act shall be submitted to the people of this State at the next general election, and the votes given for its adoption shall be endorsed, "Loan," and shall be in the following form: "For a loan of four and a half millions of dollars to enlarge the Erie canal."

Those given against its adoption shall be endorsed, "Loan," and shall be in the following form: "Against a loan of four and a half millions of dollars to enlarge the Erie canal." The inspectors of the several election districts in this State shall provide a separate box in which the ballots given in pursuance of this act shall be deposited. The ballots shall be canvassed, returned, and the result shall be determined and certified in the same manner as votes given for the office of governor of this State. If a majority of the votes cast pursuant to this section shall be "for a loan of four and a half millions of dollars to enlarge the Erie canal," then the preceding sections of this act shall take effect; but if a majority of the votes so cast shall be "against a loan of four and a half millions of dollars to enlarge the Erie canal," then the said sections shall not take effect, but shall be inoperative.

§ 7. The preceding sixth section of this act shall take effect immediately.

Debate was had thereon, when

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Davenport	Jones	McMurray	8
Conger					

FOR THE NEGATIVE.

Babcock	Huntington	Munroe	Platt	Upham	
Bristol	Kirby	Newcomb	Snow	Vanderbilt	
Clark	McElwain	Otis	Taber	Williams	
Cooley	Morgan				17

Mr. Jones moved to recommit to the committee of the whole, with instructions to add to the said proposed amendments to the Constitution the words following, to wit:

"No part of the moneys to be borrowed by this section, nor any part of the revenues of the canals shall ever be applied to or appropriated for work or damages under or in consequence of the contracts executed under the law of the 10th July, 1851, chapter 495 of the Laws of 1851."

Debate was had thereon, when

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Copper	Davenport	McMurray	Snow	
Bristol	Cornell	Jones			8

FOR THE NEGATIVE.

Babcock	Huntington	Munroe	Platt	Vanderbilt	
Bennett	Kirby	Newcomb	Taber	Ward	
Clark	McElwain	Otis	Upham	Williams	
Cooley					16

By unanimous consent,

The said resolutions were amended by adding as follows, viz:

Every contract for work and materials for the completion and enlargement of the said canals shall be awarded to the lowest bidder after due public notice, who shall give adequate security for the performance of his contract, (which in no event shall be released.) The Legislature shall prescribe the time and manner of such notice, and the form and amount of such security; and no extra compensation shall on any account be allowed to any such contractor.

Mr. Taber, in behalf of Mr. Wright, moved to recommit the said concurrent resolutions as amended, with instructions to amend as follows: Insert after "the Cayuga and Seneca canal," the following words: "and the enlargement of the locks on the Champlain canal whenever they are required to be rebuilt, from dilapidation or decay."

Mr. Cornell moved to further instruct by adding to said amendment offered for Mr. Wright, as follows: Insert after the word "Champlain" the words "and Chemung," and the letter "s" to the word "canal," following the word "Champlain."

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Cornell	Jones	Upham	
Beach	Conger	Davenport	Smith	Williams	
Bristol					11

FOR THE NEGATIVE.

Babcock	Cooley	McElwain	Otis	Taber	
Beekman	Huntington	Munroe	Platt	Vanderbilt	
Bennett	Kirby	Newcomb			13

The President announced the question to be on the said motion of Mr. Taber, in behalf of Mr. Wright, to recommit with instructions.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Davenport	Smith	Upham	
Beach	Cornell	Jones	Snow	Williams	
Clark					11

FOR THE NEGATIVE.

Babcock	Bristol	Kirby	Newcomb	Taber
Beekman	Cooley	McElwain	Otis	Vanderbilt
Bennett	Huntington	Munroe	Platt	

14

By unanimous consent,

Mr. Vanderbilt had leave to move to strike out the said amendment heretofore adopted by unanimous consent, on motion of Mr. Taber.

Mr. Cooley moved to amend so as to strike out only as follows: the words "which in no event shall be released," between the fifth and sixth lines in said amendment of Mr. Taber, and all after the word "security," in the ninth line of said amendment.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman,	Cooley	McElwain	Otis	Vanderbilt
Bristol	Huntington	Morgan	Snow	Williams
Clark	Kirby	Newcomb	Upham	

14

FOR THE NEGATIVE.

Babcock	Conger	Jones	Munroe	Smith
Bartlett	Cornell	McMurray	Platt	Taber
Bennett	Davenport			

12

Mr. Vanderbilt then withdrew his said motion to strike out the whole of the said amendment of Mr. Taber.

Mr. Conger moved to recommit to the committee of the whole, with instructions to bring in concurrent resolutions for the amendment of the tenth section of the seventh article of the Constitution, so as to authorize the Legislature to borrow (under such suitable restrictions as the committee may advise, as to the period and rate of interest for and at which such loans may be contracted), the sum of one million of dollars annually, and for and during the space of six years; such sums, when so borrowed, to be applied towards the completion of the Erie canal enlargement, and of the Genesee Valley and Black river canals, to the enlargement of the Oswego canal, and of the Cayuga and Seneca canal, and to the construction of the locks of the enlarged size on the Champlain and Chemung canals, in the place of those now or hereafter becoming dilapidated; the work to which such moneys are to be applied, to be let to the lowest competent bidder, offering to give adequate security, and contracting that at least ten per cent of the value of the labor from time to time to be performed, shall be retained by the State until his contract is fully performed.

Debate was had thereon, when

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Davenport	Jones	McMurray
Conger				

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Otis	Taber
Beach	Cooley	Morgan	Platt	Upham
Beekman	Huntington	Munroe	Smith	Vanderbilt
Bennett	Kirby	Newcomb	Snow	Williams
Bristol				

21

Mr. Jones moved to recommit the resolutions for the purpose of striking out the provision for retaining the present rates of canal tolls.

Debate was had thereon, when

By unanimous consent,

Mr. Jones moved to strike out the last clause or paragraph of the said concurrent resolutions relating to tolls.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Huntington	McMurray	Munroe
Beach	Cornell	Jones	Morgan	Platt

10

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Smith	Upham
Bennett	Cooley	Newcomb	Snow	Vanderbilt
Bristol	Kirby	Otis	Taber	Williams

15

Mr. Babcock asked and obtained unanimous consent to offer the following amendment to the amendment of Mr. Taber as amended.

Insert after the word "contract" the following words: "which security shall not, in any event be released, except by reason of the increased cost of such work or materials, in consequence of some material mistake or misinformation in regard to the quality or quantity of the work or materials embraced in such contract, derived from some officer of the State, in the discharge of his official duty, in regard to the work or materials embraced in such contract."

Debate was had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Beekman	Cornell	Jones	Munroe
Bartlett	Conger	Davenport	McMurray	

9

FOR THE NEGATIVE.

Bennett	Huntington	McElwain	Taber	Vanderbilt
Bristol	Kirby	Snow	Upham	Williams
Clark				

11

The said resolutions as amended, were then read a third time. The President put the question whether the Senate would agree to the said resolutions, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Platt	Upham
Beckman	Huntington	Munroe	Smith	Vanderbilt
Bennett	Kirby	Newcomb	Snow	VanSchoonhoven
Bristol	McElwain	Otis	Taber	Williams
Clark				

21

FOR THE NEGATIVE.

Bartlett	Cornell	Davenport	Jones	McMurray
Conger				

6

Mr. Cooley having been absent at the time of calling the list of Senators, on the final passage of said resolutions, asked and obtained unanimous consent to have his name recorded in the affirmative, and it was so recorded.

Ordered, That the Clerk deliver said resolutions to the Assembly, and request their concurrence therein.

On motion of Mr. Babcock,

The Senate, at a quarter to twelve o'clock, at night, adjourned to ten o'clock, a. m., to-morrow.

THURSDAY APRIL 7, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wadhams.

The journal of yesterday was read and approved.

By unanimous consent,

Messrs. Newcomb and Van Schoonhoven had permission to record their names in the affirmative, on the final passage of the concurrent resolutions for an amendment of the Constitution.

The President announced the special order, it being the consideration of the bill entitled "An act to provide means to pay debts, to support the government, and to carry on the public works by taxes and by tolls on railroads."

Mr. Munroe moved to postpone said order until after reports of committees.

Mr. President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock presented the petition of the common council of Buffalo for a bridge over the Erie canal at Genesee street, which was referred to the committee on canals.

Mr. Cornell presented two petitions of citizens of Hornellsville, against imposing tolls on railroads, which were committed to the committee of the whole.

Mr. Morgan presented a memorial of the mayor, aldermen and commonalty of the city of New-York, for authority to raise seventy-five thousand dollars for the erection of the south wing of the work house on Blackwell's Island, which was referred to the committee on the incorporation of cities and villages.

Mr. Davenport presented the remonstrance of citizens of Jefferson co., against imposition of tolls on railroads, which was committed to the committee of the whole.

Mr. Bristol presented the remonstrance of citizens of Chemung co., against imposition of tolls on railroads, which was committed to the committee of the whole.

Mr. Bristol presented the remonstrance of citizens of Oswego village, Tioga county, against an amendment of the village charter authorising increase of debts.

On motion of Mr. Bristol, and by unanimous consent,

Resolved, That Assembly bill No 151, entitled "An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851," be recommitted, with power to report complete.

Mr. Williams presented the remonstrance of citizens of the village of Ovid, Seneca county, against any alteration of their charter, which was laid on the table.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the preservation of fish in all the streams of water in this State," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act authorizing the sale of the county poor house of Sullivan county and for other purposes," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to repeal an act entitled 'An act in relation to draining certain lands in the towns of Manlius, De Witt and Cicero, in the county of Onondaga,' passed March 3, 1852," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorise the commissioners of highways of the town of Wilna, to lay out a road less than three rods wide," reported in favor of the passage

of the same without amendment, which was committed to the committee of the whole.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act for the relief of the Ransomville plank road company, in the county of Niagara," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to allow the Chemung valley bridge company, in the county of Chemung, to alter the plan of their bridge," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the election of the police justice of the city of Rochester," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition of Orsamus Bushnell and others, for power to purchase certain real estate, reported, and asked and obtained leave to introduce a bill entitled "An act to authorise the executors of Edmund M. Bussing, deceased, to become the purchasers of his real estate," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Cooley, from the committee on banks and insurance companies; to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Broadway savings institution in the city of New-York,' passed June 20, 1851," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bristol, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act to amend an act passed April 7, 1849, for the benefit of Lydia Harden, an Indian woman," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bristol, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act to provide for the education of the children of the Tuscarora Indians, in the county of Niagara, and to aid in the construction of school houses for said Indians," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bristol, from the select committee, to which was referred the bill entitled "An act in relation to the Cayuga nation of Indians' annuity," with power to report complete, so reported.

Ordered, That said bill be engrossed for a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorise the Hammondsport and Bath plank road company to abandon a part of their road without completing the same," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act appropriating five hundred dollars to repair the road across the Onondaga Indian reservation," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act in relation to the public schools in the city of Syracuse,' passed April 11, 1848," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the select committee of eight, reported the following bill as proper to be referred to a select committee to report complete, which report was agreed to and said bill referred as follows:

"An act to provide for erecting a new court house and jail for the county of Wayne."

The President appointed Messrs. Cornell, Munroe and McElwain as such committee.

Mr. Munroe, from the select committee, to which was referred the Assembly bill entitled "An act to amend the act passed May 6, 1844, entitled 'An act to incorporate the village of Fayetteville,'" with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the select committee, to which was referred the bill entitled "An act to enable Bernardo Escorihuela; an alien, to take, hold and convey real estate," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Vanderbilt, from the select committee, to which was referred the bill entitled "An act to amend an act to provide for free schools in Bushwick, Kings county," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Babcock, from the select committee, to which was referred the Assembly bill entitled "An act to release the interest of the people of this State in certain real estate conveyed by Peter Dempsey and wife to John Aird, which escheated on his death to Charles Davis and James Davis, who are equitably entitled thereto," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the select committee, to which was refer-

red the bill entitled "An act to enable Maria Vincerta Rodriguez, an alien, to hold, grant and convey certain real estate, or interest therein, and to appoint her trustee under the will of Vincenta Rodriguez," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Snow gave notice that he would at an early day ask leave to introduce a bill to enable Levi S. Backus to furnish one hundred and fifty copies of the newspaper called the Radii, to educated deaf mutes.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act for the appraisement of canal damages of Goshen P. Van Alstine."

"An act for the appraisement of canal damages of Joshua S. Williams."

"An act to provide for the appraisement of canal damages to Thomas Countryman."

"An act for the appraisement of canal damages of William D. Clark."

"An act to amend an act to provide for the erection of a city hall in Utica," passed April 8, 1850.

"An act to facilitate the dissolution of manufacturing corporations in the county of Cayuga, and to secure the payment of their debts without preference."

"An act to incorporate the Montague park association in the city of Brooklyn."

"An act to amend an act entitled 'An act authorising a permanent plan to be made for the locating of streets, roads and avenues in the town of Bushwick, in the county of Kings,' passed April 14, 1852."

"An act to provide for the effectual draining of the Cayuga marshes and swamp lands."

Ordered, That said bills do have their third reading.

Mr. Taber, from the committee on the judiciary, to which was referred the concurrent resolutions from the Assembly for an amendment of the constitution in relation to bribery and the exercise of the right of suffrage, with power to report complete, so reported, and they were ordered to a third reading.

Mr. Munroe, from the select committee, to which was referred the Assembly bill entitled "An act to provide for erecting a new court house and jail for the county of Wayne," with power to report complete, so reported, and said bill was ordered to a third reading.

The following bills were received from the Assembly for concurrence:

"An act for the improvement of Rackett river and the tributaries thereof," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act for the improvement of the channels of Moose river and Swamp creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

The President presented a report of the Comptroller in reply to a resolution of the Senate, calling for a tabular statement of ordinary and extraordinary expenses of government since the adoption of the present Constitution, which was ordered printed.

By unanimous consent,

Mr. Morgan, from the select committee, to which was referred the Assembly bill entitled "An act to enable the supervisors of the city and county of New-York to raise money by tax," with power to report complete, so reported, and said bill was ordered to a third reading.

The President announced the special order, it being in reference to the tax and toll bill so called.

Mr. Munroe moved to lay the same upon the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Cooley	Newcomb	Smith	Vanderbilt
Beekman	Huntington	Otis	Snow	Ward
Bennett	Kirby	Platt	Upham	Williams
Bristol	Munroe			
17				

FOR THE NEGATIVE.

Babeock	Conger	Jones	Morgan	VanSchoonhoven
Bartlett	Cornell	McElwain	Rogers	Wright
Clark	Davenport			
12				

The President announced the several orders of business to notices and introduction of bills.

Mr. Munroe moved to lay the same upon the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Clark	Kirby	Newcomb	Vanderbilt
Beekman	Cooley	McElwain	Platt	Ward
Bennett	Davenport	Munroe	Snow	Williams
Bristol	Huntington			
17				

FOR THE NEGATIVE.

Babeock	Conger	Jones	Rogers	Wright
Bartlett	Cornell	Morgan		
8				

The President announced the order of the third reading of bills.

The Assembly bill, entitled "An act to amend the act incorporating the village of Sing Sing, in the county of Westchester, passed April 2, 1813, and the several acts amendatory thereof," was read a third-time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Platt	Taber
Bartlett	Cooley	Jones	Rogers	Upham
Beekman	Cornell	McElwain	Smith	Vanderbilt
Bennett	Davenport	Munroe	Snow	Williams
Bristol				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The bill entitled "An act relative to city improvements and assessments therefor in the city of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Rogers	Ward
Beach	Huntington	Munroe	Smith	Williams
Beekman	Jones	Otis	Snow	Wright
Bennett				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to facilitate the proof of payment of incumbrances upon real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Beekman	Jones	Morgan	Vanderbilt
Bartlett	Cooley	McElwain	Otis	Ward
Beach	Cornell	McMurray		

13

FOR THE NEGATIVE.

Bennett	Huntington	Platt	Smith	Wright
Conger	Munroe	Rogers	Snow	

8

Mr. Babcock moved to reconsider said vote, and that the motion be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled "An act to simplify the manner of collecting arrears of taxes, assessments, and regular rents of croton water in the city and county of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Otis	Upham
Bartlett	Huntington	McMurray	Platt	Vanderbilt
Beekman	Jones	Morgan	Rogers	Ward
Bennett	Kirby	Munroe	Snow	Williams
Conger				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from the Governor was received, transmitting a communication from the Commissioners of Emigration.

The bill entitled "An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine hospital," having been read a third time,

Mr. Taber moved to recommit, with instructions to strike out the fifth and sixth sections.

Debate was had thereon, when

Mr. Taber withdrew his said motion, and offered the following: "that the bill (general orders No. 201), be recommitted to the select committee, together with the several petitions, remonstrances, and papers relating thereto, to the end that persons remonstrating against the several sections originating with the standing committee, may be heard before the select committee; and that two members be added to the select committee.

Debate was had thereon, when

At a quarter to two o'clock, p. m., the Senate took a recess to four o'clock p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The President announced the question to be on the motion of Mr. Taber, to recommit the bill entitled "An act to amend the several acts relating to the powers and duties of the Commissioners of Emigration, and for the regulation of the Marine hospital."

Debate was had thereon, when

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

Clark	McElwain	Newcomb	Upham	Williams
Huntington	Morgan	Taber	VanSchoonhoven	Wright
Kirby				

11

FOR THE NEGATIVE.

Babcock	Cooley	Jones	Otis	Snow
Bartlett	Cornell	McMurray	Platt	Vanderbilt
Beekman	Davenport	Munroe	Smith	Ward
Bristol				

16

Mr. Wright moved to recommit said bill with instructions to strike out the several sections of said bill, from the fourth to the twelfth, inclusive.

Debate was had thereon, when

Mr. Wright withdrew his said motion.

By unanimous consent,

The said bill was then amended by striking out the fourth section thereof, and the words "and the county of Kings" wherever they occur in the fourteenth section ; and also the words "in the manner provided by section four of this act," in said fourteenth section.

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Munroe	Smith
Bartlett	Cooley	Kirby	Newcomb	Snow
Beekman	Cornell	McElwain	Otis	Vanderbilt
Bennett	Davenport	McMurray	Platt	Ward

20

FOR THE NEGATIVE.

Clark	Morgan	Upham	Williams	Wright
Huntington	Taber			

7

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorise the clerk of the county of Orleans, to transcribe so much of the records of Genesee county as relates to lands in the county of Orleans," having been read a third time, by unanimous consent the same was amended by striking out the word "Erie" wherever it occurs in said bill, and inserting the word "Genesee."

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affir-

mative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	McMurray	Platt	Upham	
Beekman	Jones	Morgan	Rogers	Vanderbilt	
Cooley	Kirby	Munroe	Smith	Ward	
Cornell	McElwain	Otis	Snow	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that they have passed the same without amendment.

The bill entitled "An act to punish gross frauds and to suppress mock auctions," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Morgan	Rogers	Upham	
Beekman	Jones	Munroe	Smith	Vanderbilt	
Bennett	Kirby	Otis	Snow	Ward	
Bristol	McElwain	Platt	Taber	Williams	
Cooley	McMurray				22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act to provide for the erection of a City Hall in Utica, passed April 8, 1850," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Jones	Munroe	Rogers	Upham	
Bristol	Kirby	Newcomb	Smith	Vanderbilt	
Cooley	McElwain	Otis	Snow	Ward	
Cornell	McMurray	Platt	Taber	Williams	
Huntington	Morgan				22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act to incorporate the Junction canal company,' passed May 11, 1846," was read a third time.

The President put the question whether the Senate would agree to the final passage of the said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Platt	Upham
Bartlett	Cornell	McMurray	Rogers	Ward
Beckman	Huntington	Morgan	Smith	Williams
Bennett	Jones	Munroe	Snow	Wright
Bristol	Kirby	Otis	Taber	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the improvement of the Ausable river, Essex co., was read a third time, and not having received a two-third vote, was laid on the table.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bill, to wit:

"An act to amend an act entitled 'An act to incorporate the Buffalo trust company,' passed April 16, 1852."

The bill entitled "An act to authorise the clerk of Kings co., to record the assignments of a certain mortgage," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davies	McElwain	Rogers	Upham
Bartlett	Huntington	Munroe	Smith	Vanderbilt
Beckman	Jones	Otis	Snow	Ward
Bristol	Kirby	Platt	Taber	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Greenwood cemetery,' passed April 18, 1838," having been read a third time, by unanimous consent the same was amended by adding the following:

§ 5. The said cemetery shall not be exempt from paying assessments for the grading and paving the Fifth avenue in said city, and such assessments may be imposed on the property of said cemetery, and collected in the manner that other assessments are levied, collected and paid; and said cemetery are hereby authorised to pay the same.

§ 6. This act shall take effect immediately.

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	Taber
Bartlett	Cornell	McElwain	Platt	Vanderbilt

Beekman	Davenport	McMurray	Rogers	Ward
Bennett	Huntington	Morgan	Smith	Williams
Bristol	Jones	Newcomb	Snow	Wright
Clark				26

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to enable Bernardo Escorihuela, an alien, to take, hold and convey real estate."

"An act to amend the charter of the State road, from the Orange turnpike to Nyack, in the county of Rockland, as passed on the 20th April, 1830."

"An act for the appraisement of canal damages of Frederick Burton and Sophrona Burton."

"An act for the appraisement of canal damages of Allen O. Wilkin."

"An act for the appraisement of canal damages of Aaron Cramer."

"An act for the appraisement of canal damages of Charles J. Hawley."

"An act for the appraisement of canal damages of James E. Shader."

"An act to confirm the title of Cornelius Vanderbilt to certain land under water in the county of Richmond, and to make certain letters patent valid."

"An act relative to the panels of grand and petit jurors in the county of Kings, to be drawn for the next circuit court and court of oyer and terminer in said county."

"An act for the appraisement of canal damages of Charles G. Barnes."

"An act for the appraisement of canal damages of Lewis Fro-tier."

"An act for the appraisement of canal damages of Marcus L. Hoag."

"An act for the appraisement of canal damages of Marius Goodrich."

"An act for the appraisement of canal damages of Henry J. Bragdon."

"An act for the reimbursement to counties of the expenses of criminal proceedings in certain cases."

Ordered, That said bills do have their third reading.

The bill entitled "An act to incorporate the Ithaca water works company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beekman	Jones	Newcomb	Snow	Vanderbilt
Clark	Kirby	Otis	Taber	Ward

Davenport	McElwain	Platt	Upham	Williams	13
Huntington	Morgan	Smith			

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act appropriating a portion of the wages of convicts for the use of their families," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Davenport	McElwain	Platt	Upham	
Beekman	Huntington	Newcomb	Rogers	Williams	
Bristol	Jones	Otis	Taber	Wright	
Clark	Kirby				17

FOR THE NEGATIVE.

Cooley	Smith	Snow	2
--------	-------	------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable the supervisors of the city and county of New-York, to raise money by tax," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Rogers	Vanderbilt	
Bartlett	Davenport	Morgan	Snow	Ward	
Beekman	Huntington	Otis	Upham	Williams	
Bristol	Jones	Platt			13

FOR THE NEGATIVE.

Newcomb	Wright	2
---------	--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relative to the panels of grand and petit jurors in the county of Kings, to be drawn for the next circuit court and court of oyer and terminer in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Rogers	Vanderbilt
Bartlett	Davenport	Morgan	Snow	Ward

Beekman	Huntington	Newcomb	Taber	Williams	
Bristol	Kirby	Platt	Upham	Wright	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Wright, and by unanimous consent,

Resolved, That Assembly bill, No. 309, entitled "An act authorising railroad corporations to subscribe for stock in the Whitehall and Plattsburgh railroad," be referred to a select committee with power to report complete.

The President appointed as such committee, Messrs. Wright, Rogers and Smith.

On motion of Mr. Cooley, and by unanimous consent,

Resolved, That the judiciary committee, to which was referred the bills entitled "An act relative to lands held in trust by William H. Leggett, for the benefit of Mary Jagger Barber, wife of William T. Barber, and his descendants," and "An act relative to lands held in trust by William H. Leggett, for the benefit of Susan Post Leggett, wife of Edward W. Leggett, and her descendants," have power to report the same complete.

By unanimous consent,

Mr. Kirby, from the select committee, to which was referred the bill entitled "An act to reorganize the first regiment of New-York volunteers, and other soldiers engaged in the late war with Mexico, into an independent battalion for ten years," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

On motion of Mr. Davenport, and by unanimous consent,

Resolved, That bill No. 12, entitled "An act to provide for the purchase and keeping in repair of the grounds in the town of Osceola, in the county of Lewis," be ordered to a third reading.

By unanimous consent,

Mr. Otis asked for and obtained leave to introduce a bill entitled "An act further to amend the act entitled 'An act to establish the Dutchess Turnpike company, so as to authorise such company to MacAdamize all or some portion or portions thereof, and for other purposes,'" which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee to report complete.

The President appointed as such committee, Messrs. Otis, Jones and Conger.

Mr. Conger moved that the Senate take a recess until eight o'clock, p. m.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Davenport	Rogers	Williams
Beekman	Cornell	Otis	Snow	

FOR THE NEGATIVE.

Babcock	McElwain	Platt	Upham	Ward	
Bristol	Morgan	Taber	Vanderbilt	Wright	
Cooley	Munroe				12

The Assembly bill, entitled "An act to amend the several acts relating to the Cayuga creek road, in the county of Erie, passed March 29, 1848, March 27, 1849, and June 20, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Ward	
Bartlett	Cornell	Morgan	Taber	Williams	
Beekman	Davenport	Munroe	Upham	Wright	
Bristol	Huntington	Otis	Vanderbilt		19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Munroe moved to lay the present order of business (the third reading of bills), on the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	Munroe	Upham	Ward	
Cooley	Kirby	Platt	Vanderbilt	Williams	
Davenport	Morgan	Snow			13

FOR THE NEGATIVE.

Bartlett	Beekman	Conger	Cornell	Wright	5
----------	---------	--------	---------	--------	---

Mr. Wright moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Munroe offered for the consideration of the Senate, a resolution in the words following, to wit :

Resolved, That the third reading of bills be the special order to-morrow, immediately after reports of committees.

Mr. Babcock moved to amend, by inserting the word "Senate" before the word "bills," in said resolution.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Davenport	Platt	Snow	
Bartlett	Cornell	McMurray			8

FOR THE NEGATIVE.

Beekman	Huntington	Munroe	Vanderbilt	Williams
Bristol	Kirby	Taber	Ward	Wright
Cooley	McElwain	Upham		

13

Mr. Platt moved to amend said resolution, by making said special order immediately after the reading of the journal.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

By unanimous consent,

Mr. Vanderbilt offered the following: Notice is hereby given that I will introduce a bill to-morrow morning to provide for the expenses of government, and to pay certain claims and certain sums which now imperiously demand payment; and I shall ask unanimous consent of the Senate, that such bill, when introduced, shall be considered by the Senate.

On motion of Mr. Cornell,

The Senate then adjourned until 11 o'clock to-morrow morning.

FRIDAY APRIL 8, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Thayer.

The journal of yesterday was read and approved.

The President presented a communication and report from the Secretary of State, in relation to convictions for criminal offences during the year 1852, which was laid on the table.

The President announced the special order, it being the third reading of bills.

By unanimous consent,

Mr. Jones presented the remonstrance of citizens of Newburgh, against any law for imposing canal tolls upon railroad transportation, which was committed to the committee of the whole.

By unanimous consent,

Mr. McElwain presented the remonstrance of citizens of Portage, and Warsaw, Wyoming co., also the citizens of Allegany co., on the same subject, which were committed to the committee of the whole.

Mr. McElwain presented the petition of the directors of the Attica and Allegany Valley railroad company, for change of location of their road, which was referred to the committee on railroads.

By unanimous consent,

Mr. Wright, from the select committee, to which was referred the Assembly bill entitled "An act to authorise any railroad corporation in this State to subscribe to the capital stock of the Whitehall and Plattsburgh railroad company," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan moved to reconsider the vote on the final passage of the bill entitled "An act to enable the supervisors of the city and county of New-York, to raise money by tax."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Morgan moved that said bill be recommitted to a select committee of Senators from the third, fourth, fifth and sixth districts.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the special order, it being the third reading of bills.

Mr. Vanderbilt moved to lay the same on the table.

Mr. McMurray called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Newcomb	Smith	Vanderbilt
Bennett	Morgan	Platt	Taber	VanSchoonhoven
Clark	Munroe	Rogers	Upham	14

FOR THE NEGATIVE.

Bartlett	Cornell	Davenport	Jones	McMurray
Conger				6

The President announced the order of the presentation of petitions.

Mr. Vanderbilt moved to lay the same on the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Cooley	Newcomb	Smith	Vanderbilt
Bennett	Kirby	Platt	Taber	VanSchoonhoven
Bristol	Morgan	Rogers	Upham	Williams
Clark	Munroe			17

FOR THE NEGATIVE.

Conger	Cornell	Davenport	McMurray	Snow
				6

The President announced the order of reports of standing committees.

Mr. Vanderbilt moved to lay the same on the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Newcomb	Smith	Vanderbilt
Bennett	Kirby	Platt	Taber	VanSchoonhoven
Bristol	Morgan	Rogers	Upham	Williams
Conger	Munroe			17

FOR THE NEGATIVE.

Bartlett	Cornell	Davenport	McMurray	4
----------	---------	-----------	----------	---

The President announced the order of reports of select committees.

Mr. Vanderbilt moved to lay the same on the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Newcomb	Smith	Upham
Beekman	Cooley	Platt	Snow	Vanderbilt
Bennett	Kirby	Rogers	Taber	Williams
Bristol	Munroe			17

FOR THE NEGATIVE.

Conger	Cornell	Davenport	Jones	McMurray	5
--------	---------	-----------	-------	----------	---

The President announced the order of notices and introduction of bills.

Mr. Vanderbilt moved to lay the same upon the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Newcomb	Smith	Upham
Beekman	Cooley	Platt	Snow	Vanderbilt
Bennett	Morgan	Rogers	Taber	VanSchoonhoven
Bristol	Munroe			17

FOR THE NEGATIVE.

Conger	Cornell	Davenport	Jones	McMurray	5
--------	---------	-----------	-------	----------	---

The President announced orders and messages from the Assembly, when Mr. Vanderbilt moved to lay that order of business on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt asked leave to introduce a bill entitled "An act to provide means to pay State debts, to support the government."

Debate was had thereon, when

Mr. Vanderbilt moved to lay the question of granting leave on the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	McMurray	Rogers	Ward
Beach	Davenport	Munroe	Upham	Williams
Clark	Jones	Platt	Vanderbilt	Wright
Conger	Kirby			

17

FOR THE NEGATIVE.

Bristol

1

Mr. Vanderbilt moved to lay the present order of business on the table, viz : notices and introduction of bills.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Munroe, and by unanimous consent,

Resolved, That Assembly bill, No. 328, providing for building bridges in Syracuse, be taken from the committee of the whole, and referred back to the committee on canals, with instructions to make the same conform to Senate bill, No. 116, and report the same complete.

The President announced the order of third reading of bills.

The bill entitled "An act to provide for the establishment of Union free schools," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Platt	Upham
Beach	Cornell	McElwain	Smith	Vanderbilt
Beckman	Davenport	Morgan	Snow	Williams
Bristol	Huntington	Otis	Taber	Wright

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the corporation of the Second street Methodist Episcopal church in the city of New-York, to buy certain lands for the purpose of a cemetery," was read a third time.

The President put the question whether the Senate would agree to the final passage of the said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	Morgan	Rogers	Vanderbilt
Bartlett	Jones	Munroe	Snow	Ward
Beekman	Kirby	Otis	Taber	Wright
Davenport	McElwain	Platt	Upham	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Montague park association in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beekman	Huntington	Newcomb	Smith	Vanderbilt
Bennett	Kirby	Otis	Snow	Ward
Bristol	Morgan	Platt	Taber	Williams
Davenport	Munroe	Rogers	Upham	Wright
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the consolidation of the Syracuse and Binghamton, and the Oswego and Syracuse railroad companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Otis	Upham
Beekman	Davenport	Morgan	Platt	Vanderbilt
Bennett	Huntington	Munroe	Snow	Ward
Bristol	Kirby	Newcomb	Taber	19

FOR THE NEGATIVE.

Cornell	Jones	2
---------	-------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the reimbursement to counties of the expenses of criminal proceedings in certain cases," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beekman	Cooley	McElwain	Otis	Taber
Bennett	Huntington	Morgan	Platt	Upham
Bristol	Jones	Munroe	Snow	Ward
Conger	Kirby	Newcomb		18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable Bernardo Escorihuela, an alien, to take, hold and convey real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Newcomb	Taber
Beekman	Davenport	McElwain	Otis	Upham
Bennett	Huntington	Morgan	Platt	Vanderbilt
Bristol	Jones	Munroe	Snow	Ward
Conger				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to renew the charter of the State road from the Orange turnpike to Nyack, in the county of Rockland as passed, on the 20th April, 1830," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Jones	Newcomb	Taber
Beekman	Cornell	Kirby	Otis	Upham
Bennett	Davenport	McElwain	Snow	Ward
Conger	Huntington	Munroe		

18

FOR THE NEGATIVE.

Platt Williams

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the trustees of the village of Geddes, to sell their cemetery ground, and remove the remains of the dead buried therein, to a new burying ground," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Munroe	Platt
Beekman	Cooley	Kirby	Newcomb	Ward
Bennett	Davenport	McElwain	Otis	Williams
Bristol	Huntington			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act to provide for the incorporation of bridge companies, passed April 11, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of the said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Newcomb	Taber
Beekman	Cooley	Kirby	Otis	Ward
Bennett	Davenport	McElwain	Platt	Williams
Bristol	Huntington	Munroe	Snow	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to facilitate the dissolution of manufacturing corporations in the county of Cayuga, and to secure the payment of their debts without preference," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Munroe	Snow
Bartlett	Conger	Jones	Newcomb	Ward
Bennett	Cooley	Kirby	Otis	Williams
Bristol	Davenport	McElwain	Platt	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act authorising a permanent plan to be made for the locating of streets, roads and avenues in the town of Bushwick, in the county of Kings,' passed April 14, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	Vanderbilt
Beekman	Davenport	McElwain	Platt	Ward
Bennett	Huntington	Munroe	Smith	Williams
Bristol	Jones	Newcomb	Snow	Wright

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Relief lodge number sixty-one in the village of Gowanda," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Smith	Ward
Beach	Huntington	Munroe	Snow	Williams
Bennett	Jones	Otis	Taber	Wright
Conger	Kirby	Platt		18

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to school district number one in the town of Seneca, in the county of Ontario," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and the vote was as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Platt	Taber
Beekman	Huntington	Morgan	Smith	Upham
Bristol	Jones	Newcomb	Snow	Williams
Conger	Kirby	Otis		18

Three-fifths of the members elected to the Senate not being present, said bill was laid upon the table.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the village of Elmira, in the county of Chemung, passed April 6, 1850," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the appraisal and payment of canal damages sustained by Alexis Ward and Thomas Wilson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act to alter the commissioners' map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to fix a permanent line of piers for the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the city of Syracuse, and the several acts amending the same," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to revise and amend the several acts relating to the city of Brooklyn, passed April 4, 1850,' and the act amending the same, passed June 19, 1851," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to complete the improvement of the Owasco outlet," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on canals, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the commissioners of highways of the towns of Stuyvesant and Stockport, in the county of Columbia, to borrow money and build a bridge at Stuyvesant Falls, in said county, and to provide for the payment of the expense thereof," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act to incorporate the Rochester water works company, passed April 16, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Westchester county savings bank," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on banks and insurance companies, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend and consolidate the several acts relating to the

village of Binghamton," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act to authorise the formation of corporations for manufacturing, mining, mechanical and chemical purposes, passed February 17, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to authorise the formation of railroad corporations and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Methodist Episcopal church in Junius, Seneca co., to sell their parsonage," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on charitable and religious societies, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to divide the nineteenth ward of the city of New-York into two wards," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act to authorise the town officers of Hyde Park to purchase ground for a town cemetery," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the internal affairs of towns and counties, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to repeal an act entitled 'An act to prevent fraudulent fictitious or pretended sales at auctions,' passed May 8, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to improve the Oswegatchie and Grass rivers in St. Lawrence county for floating timber and sawed lumber," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act declaring Black river a public highway, and regulating

the passage of logs and lumber down the same, from the Moose river tract to the junction with Moose river, and for the improvement of said river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to supply a deficiency in the appropriations for the support of the Western house of refuge for the fiscal year ending September 30, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act making appropriations for supplying the Western house of refuge with water and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

A bill was received from the Assembly for concurrence, entitled "An act making appropriations for the continuance and enlargement of the State Asylum for idiots," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Canal Board to hear and determine the claim of Edward Murray," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act for the improvement of the navigation of the Big Chazy river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the village of Potsdam," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the title of John Hawkins to a certain piece of land," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate medical societies for the purpose of regulating the practice of physic and surgery in this State,' passed April 10, 1813," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on medical societies and colleges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to provide for relinquishing a bridge across Canandaigua outlet at the village of Alloway, in the town of Lyons, Wayne co., and for raising money for that purpose by tax upon said town," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Buffalo and New-York city railroad company to construct branch tracks for freighting and other purposes," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act further to amend an act entitled 'An act to amend the several acts incorporating the village of Elmira, in the county of Chemung,' passed April 6, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Canal Commissioners to lease certain surplus waters of the Chemung canal to William T. Hastings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Brooklyn, Flatbush, and Canarsie plank road company to collect toll in certain cases," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Montezuma turnpike and bridge company,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the education of the children of the St. Regis tribe of Indians in the county of Franklin," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on Indian affairs, to report complete.

A bill was received from the Assembly for concurrence, entitled

"An act ceding jurisdiction to the United States, over lands to be occupied as sites of light houses and keepers' dwellings within this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Manlius plank road company to abandon a part of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to increase the capital stock of the Myrtle Avenue and Jamaica plank road company," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the New-York academy of medicine,' passed June 23, 1851," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on medical societies and colleges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to regulate the hours of labor on the public works and in the manufacturing establishments of the State, and at mechanical arts and trades," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on grievances, to report complete.

Mr. Morgan, from the select committee of eight, reported the following bills as proper to be referred to select committees to report complete, which report was agreed to, and said bills referred as follows:

"An act to restrict and regulate the power of municipal corporations to borrow money, contract debts and loan their credit," to Messrs. Morgan, Beach and Bristol.

"An act to amend an act to provide for the incorporation and regulation of telegraph companies, passed April 12, 1848," to Messrs. Upham, Bristol and Ward.

"An act amending chapter four hundred and seventy-eight, of the Laws of 1851, entitled 'An act to regulate the planting and taking of oysters in the Harlem river,' to Messrs. Conger, Vanderbilt and Morgan.

"An act to amend article one, title two, chapter three, part two of the Revised Statutes, in regard to the custody and government of State prisons, &c," to Messrs. Conger, Rogers and Smith.

"An act to provide for the extension of the draining of Black creek or Crosier swamp, in Ulster co., to Messrs. Jones, Pierce and Taber.

"An act to facilitate the forming of agricultural and horticultural societies," to Messrs. McElwain, Huntington and Munroe.

Assembly bill, "An act to authorise school districts in the towns of this State, to raise money to pay librarians," to Messrs. Beekman, Babcock and Clark.

Assembly bill, "An act to enable Mary E. Noyes to change her name, and declaring her to be the heir at law of Ogden Donnington," to Messrs. McMurray, Cooley and Snow.

"An act to amend the charter of the Marine society of the city of New-York," to Messrs. Beekman, Bartlett and Platt.

Assembly bill, "An act to change the title of the Oswego congregational society," to Messrs. Bristol, Cornell and Munroe.

Assembly bill, "An act to authorise the supervisors of Seneca county to levy a tax upon the town of Fayette, to pay the balance due for rebuilding a bridge," to Messrs. Williams, Kirby and Bennett.

Assembly bill, "An act to annex part of the town of Newfield, Tompkins county, in the town of Catharine, Chemung county," to Messrs. Williams, Davenport and Bartlett.

Assembly bill, "An act to annex certain parts of the third and fourth wards of Schenectady, to the towns of Niskayuna and Rotterdam, in the county of Schenectady," to Messrs. Taber, Huntington and Van Schoonhoven.

"An act to amend an act extending the boundaries and amending the charter of the village of Ogdensburgh, passed June 20, 1851," to Messrs. Smith, Rogers and Wright.

"An act to equalise and regulate the assessment of railroad companies for the purpose of taxation," to Messrs. Smith, Munroe and Bristol.

Assembly bill, "An act to enable the Salmon river plank road company to sell parts of their road to the Pulaski and Selkirk plank road company, and to abandon and discontinue a portion of their road," to Messrs. Davenport, Huntington and Clark.

Assembly bill, "An act to amend an act incorporating the village of Plattsburgh, passed April 26, 1831, and the acts amendatory thereof," to Messrs. Rogers, Wright and Williams.

Assembly bill, "An act to consolidate the several school districts and parts of districts in the village of Pulaski, in one district, and provide for a school therein, and to amend 'an act to incorporate the village of Pulaski, in Oswego co.,' passed April 10, 1849," to Messrs. Davenport, Huntington and Clark.

"An act to supply the city of Schenectady with water," to Messrs. Taber, Snow and Conger.

Assembly bill, "An act to require certain officers therein mentioned to give security for the performance of their duty," to Messrs. Cornell, Kirby and Babcock.

"An act to incorporate the Firemen's benevolent association in the village of Le Roy," to Messrs. Upham, McElwain and Kirby.

Assembly bill, "An act for the relief of the receiver of the Utica insurance company," to Messrs. Huntington, Bennett and Platt.

Assembly bill, "An act for the relief of the Ransomville plank road company in Niagara county," to Messrs. Upham, McElwain and Kirby.

Assembly bill, "An act to authorise the Hammondsport and Bath plank road company to abandon a part of their road," to Messrs. Cornell, Clark and Bennett.

Assembly bill, "An act to allow the Chemung Valley bridge company, in Chemung county, to alter the plan of their bridge," to Messrs. Cornell, Clark and Bennett.

Assembly bill, "An act to repeal sections 9, 11, 13, 14, and part of section 10, and 15, of title 4, part 1, chapter 13, of the Revised Statutes, entitled 'regulations concerning the assessment of taxes on incorporated companies and the commutation thereof,' to Messrs. Otis, Smith and McElwain.

The bill entitled "An act to render more perfect and equitable the laws concerning escheats now in force in this State, and to derive revenue therefrom," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Platt	Upham
Bartlett	Conger	McElwain	Rogers	Ward
Beach	Davenport	Munroe	Smith	Williams
Beekman	Huntington	Otis	Snow	Wright
Bennett	Jones			

22

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to release the right, title and interest of the people of this State, to certain land and property in Niagara co., to Mary Large and Ann Hewson, and to enable them to hold the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Otis	Upham
Bartlett	Conger	McElwain	Platt	Vanderbilt
Beach	Davenport	McMurray	Rogers	Ward
Beekman	Huntington	Munroe	Smith	Williams
Bennett	Jones	Newcomb	Snow,	

26

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relative to disputed wills," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Platt	Vanderbilt
Bartlett	Davenport	Morgan	Rogers	Ward
Beekman	Jones	Newcomb	Snow	Williams
Bennett	Kirby	Otis	Upham	

19

FOR THE NEGATIVE.

Beach Huntington Wright

3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the act in relation to the support of the poor in the county of Montgomery, passed April 8, 1844," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Newcomb	Taber
Bartlett	Cornell	McElwain	Otis	Upham
Beach	Davenport	McMurray	Platt	Ward
Beekman	Huntington	Morgan	Rogers	Williams
Bennett	Jones	Munroe	Snow	Wright
Bristol				

26

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the trustees of school district number three, in the town of Castleton, and county of Richmond, to mortgage the property belonging to said district for certain purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	McMurray	Platt
Bartlett	Clark	Jones	Morgan	Upham

Beach
Beekman
Bennett

Cornell
Davenport

Kirby
McElwain

Newcomb
Otis

Ward
Williams

21

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide for free schools in the town of Bushwick, in the county of Kings,' passed October 16, 1847," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett
Beach
Beekman
Bennett
Bristol

Conger
Cornell
Huntington
Jones
Kirby

McElwain
Morgan
Munroe
Newcomb

Otis
Snow
Taber
Upham

Vanderbilt
Ward
Williams
Wright

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act for the preservation of the public health,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock
Bartlett
Beach
Beekman
Bennett

Bristol
Clark
Conger
Cornell

Kirby
McElwain
McMurray
Munroe

Newcomb
Otis
Snow
Taber

Upham
Vanderbilt
Ward
Williams

21

FOR THE NEGATIVE.

Huntington

Jones

Wright

3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act amending the act entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the counties of Westchester, Putnam, Dutchess, Rensselaer, Rockland, Chemung and the town of Newburgh, in the county of Orange,' passed April 16, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting

n favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Davenport	Munroe	Taber	
Bartlett	Conger	Huntington	Newcomb	Upham	
Beekman	Cooley	Jones	Otis	Ward	
Bennett	Cornell	McElwain	Snow	Williams	20

FOR THE NEGATIVE.

Wright	1
--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 319, of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	McElwain	Rogers	Upham	
Beekman	Cooley	Newcomb	Snow	Ward	
Bennett	Davenport	Otis	Taber	Wright	
Clark	Huntington	Platt			18

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to make the office of county clerk a salaried office, reduce the fees and change the manner of keeping the records of the same," having been read a third time,

Mr. Van Schoonhoven moved to lay the same on the table,

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative,

Mr. Van Schoonhoven moved to recommit said bill to the committee of the whole.

Debate was had thereon, when

Mr. Cornell moved to lay said motion of Mr. Van Schoonhoven and said bill upon the table.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beekman	Cornell	Kirby	Smith	Williams	
Clark	Huntington	Otis	Upham	Wright	
Conger	Jones	Platt	Vanderbilt		14

FOR THE NEGATIVE.

Babcock	Bristol	McElwain	Newcomb	Taber	
Beach	Cooley	Munroe	Rogers	VanSchoonhoven	
Bennett	Davenport				12

Mr. Bennett moved to reconsider the vote just taken.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Jones	Otis	VanSchoonhoven
Beach	Conger	Munroe	Smith	Williams
Beekman	Davenport	Newcomb	Taber	14

FOR THE NEGATIVE.

Clark	Huntington	McElwain	Rogers	Vanderbilt
Cooley	Kirby	Platt	Upham	Wright
Cornell				11

The President announced the question to be on the motion of Mr. Cornell to lay on the table.

Mr. Cornell withdrew the same.

Mr. Bennett moved to refer said bill to a select committee, with power to report complete, forthwith.

Mr. Van Schoonhoven then withdrew his said motion, to recommit to the committee of the whole.

The President put the question on agreeing to Mr. Bennett's motion to recommit to a select committee, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Bennett, Van Schoonhoven and Cornell.

At a quarter to two o'clock, p. m., the Senate took a recess to four o'clock p. m.

FOUR O'CLOCK, P. M.

The Senate again met:

By unanimous consent,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act authorising the board of supervisors of Kings co., to build a court house and to purchase land," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Kirby asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act further to amend an act to amend and consolidate the several acts relating to the city of Rochester,' passed April 15, 1852," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Upham asked for and obtained leave to introduce a bill entitled "An act to incorporate the St. Mary's Falls Ship Canal Company," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on commerce and navigation, to report complete.

By unanimous consent,

Mr. McElwain asked for and obtained leave to introduce a bill entitled "An act to authorise the Attica and Allegany Valley Railroad company, to change the line of its road," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on railroads, to report complete.

By unanimous consent,

Mr. Ward, from the select committee, to which was referred the bill entitled "An act providing for the location and erection of a new court house and jail in the county of Queens," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act making appropriation for the continuance and enlargement of the State Asylum for idiots," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Otis, from the select committee, to which was referred the bill entitled "An act further to amend the act entitled 'An act to establish the Dutchess turnpike company, so as to authorise such company to MacAdamize all or some portion or portions thereof, and for other purposes,'" with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Taber asked for and obtained leave to introduce a bill entitled "An act to authorise the incorporation of Roman Catholic congregations or societies," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee to report complete.

The President appointed as such committee, Messrs. Taber, Cooley and Platt.

A message from the Assembly was received and read, informing

that they had passed, without amendment, the following entitled bill:

"An act relative to the panels of grand and petit jurors in the county of Kings, to be drawn for the next circuit court and court of oyer and terminer, in said county."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bill, to wit:

"An act relative to the panel of the grand and petit jurors in the county of Kings, to be drawn for the next circuit court and court of oyer and terminer, in said county."

The President presented the annual report of the Albany Savings bank, for the year 1852, which was referred to the committee on banks and insurance companies, and ordered printed.

Mr. Van Schoonhoven, from the select committee, to which was referred the bill entitled "An act to make the office of county clerk a salaried office, reduce the fees and change the manner of keeping the records of the same," with power to report complete, so reported.

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McMurray	Otis	VanSchoonhoven
Beach	Cooley	Morgan	Platt	Ward
Beekman	Davenport	Munroe	Rogers	Williams
Bennett	Huntington	Newcomb	Snow	Wright
Bristol	Kirby			

22

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. McMurray, from the select committee, to which was referred the Assembly bill entitled "An act in relation to the police department of the city and county of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

The bill entitled "An act in relation to school district number one, in the town of Seneca, in the county of Ontario," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Otis	Taber
Bartlett	Cooley	McElwain	Platt	Ward
Beach	Davenport	McMurray	Rogers	Williams
Beekman	Huntington	Munroe	Smith	Wright
Bristol	Jones	Newcomb	Snow	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the improvement of the Ausable river, Essex county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Rogers	VanSchoonbever
Beach	Conger	Munroe	Smith	Ward
Beekman	Davenport	Newcomb	Snow	Williams
Bennett	Huntington	Otis	Taber	Wright
Bristol	Jones	Platt		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the effectual draining of Cayuga marshes and swamp lands," having been read a third time,

By unanimous consent,

The same was amended as follows: insert after the word "comptroller" in the fourth line of the tenth section, the words "including interest at five per cent," after the word "expended," in the seventh line of said section, the words "with interest as aforesaid," and at the close of said section, the words "with interest as aforesaid;" also insert after the word "statement," in the seventh line of the eleventh section, the words "and the interest thereon."

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	McElwain	Platt	Taber
Beach	Cooley	Munroe	Rogers	Ward
Beekman	Davenport	Newcomb	Smith	Williams
Bennett	Huntington	Otis	Snow	Wright
Bristol	Kirby			

22

FOR THE NEGATIVE.

Cornell	Jones
---------	-------

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages to Abraham N. Van Alstine," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Huntington	Morgan	Platt	Taber	
Beekman	Jones	Munroe	Rogers	Ward	
Bristol	Kirby	Newcomb	Smith	Williams	
Clark	McElwain	Otis	Snow	Wright	20

FOR THE NEGATIVE.

Babcock	Cornell				2
---------	---------	--	--	--	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Silas V. Wemple," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beekman	Jones	Newcomb	Rogers	Ward	
Bristol	Kirby	Otis	Snow	Williams	
Clark	McElwain	Platt	Taber	Wright	
Huntington	Morgan				17

FOR THE NEGATIVE.

Babcock	Cornell	McMurray			3
---------	---------	----------	--	--	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Delavan Corey," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	McMurray	Rogers	Ward	
Beach	Huntington	Newcomb	Snow	Williams	
Beekman	Jones	Otis	Taber	Wright	
Bristol	Kirby	Platt			18

FOR THE NEGATIVE.

McElwain	Smith				2
----------	-------	--	--	--	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of A. P. Settle," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Jones	Platt	Taber
Beach	Clark	Kirby	Rogers	Williams
Beekman	Davenport	Newcomb	Snow	Wright
Bennett	Huntington	Otis		

18

FOR THE NEGATIVE.

Cornell	McElwain	Smith	
---------	----------	-------	--

3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Charles Sacia," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Kirby	Rogers	Taber
Beekman	Davenport	Newcomb	Smith	Williams
Bennett	Huntington	Otis	Snow	Wright
Bristol	Jones	Platt		

18

FOR THE NEGATIVE.

Beach	McElwain	
-------	----------	--

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of William Adams," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Kirby	Rogers	Ward
Beekman	Davenport	Newcomb	Smith	Williams
Bennett	Huntington	Otis	Snow	Wright
Bristol	Jones	Platt	Taber	

19

FOR THE NEGATIVE.

Cornell	McElwain	
---------	----------	--

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Aaron Cramer," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beekman	Conger	Kirby	Rogers	Ward
Bennett	Davenport	Newcomb	Smith	Williams
Bristol	Huntington	Otis	Snow	Wright
Clark	Jones	Platt	Taber	19

FOR THE NEGATIVE.

Cornell	1
---------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Constant Brown," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Newcomb	Smith	Ward
Beekman	Davenport	Otis	Snow	Williams
Bennett	Huntington	Platt	Taber	Wright
Bristol	Kirby	Rogers		18

FOR THE NEGATIVE.

Conger	Cornell	2
--------	---------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of John J. Culver," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	Jones	Platt	Ward
Beekman	Conger	Kirby	Rogers	Williams
Bennett	Davenport	Newcomb	Snow	Wright
Bristol	Huntington	Otis	Taber	19

FOR THE NEGATIVE.

Cornell	Smith	2
---------	-------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisalment of canal damages of Goshen P. Van Alstine," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Jones	Platt	Taber	
Beckman	Conger	Kirby	Rogers	Ward	
Bennett	Davenport	Newcomb	Smith	Williams	
Bristol	Huntington	Otis	Snow	Wright	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisalment of canal damages of Charles J. Hawley," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Kirby	Rogers	Ward	
Beach	Davenport	Newcomb	Snow	Williams	
Beckman	Huntington	Otis	Taber	Wright	
Bristol	Jones	Platt			18

FOR THE NEGATIVE.

Conger	Smith	2
--------	-------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisalment of canal damages of Alice O. Wilkin," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beckman	Davenport	Newcomb	Rogers	Ward	
Bennett	Huntington	Otis	Snow	Williams	
Bristol	Jones	Platt	Taber	Wright	
Clark	Kirby				17

FOR THE NEGATIVE.

Beach	Conger	Cornell	3
-------	--------	---------	---

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Marius Goodrich," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	Kirby	Rogers	Ward
Beekman	Davenport	Newcomb	Snow	Williams
Bennett	Huntington	Otis	Taber	Wright
Bristol	Jones	Platt		

18

FOR THE NEGATIVE.

Babcock	McElwain
---------	----------

2

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Henry J. Bragdon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beekman	Davenport	Newcomb	Snow	Ward
Bennett	Huntington	Otis	Taber	Williams
Bristol	Jones	Platt	Vanderbilt	Wright
Clark	Kirby	Rogers		

18

FOR THE NEGATIVE.

Conger	Cornell
--------	---------

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of William D. Clark," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	Kirby	Rogers	Ward
Beekman	Davenport	Newcomb	Snow	Williams
Bennett	Huntington	Otis	Taber	Wright
Bristol	Jones	Platt	Vanderbilt	

19

FOR THE NEGATIVE.

Conger

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Marcus L. Hoag," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	Kirby	Rogers	Ward
Beekman	Davenport	Newcomb	Snow	Williams
Bennett	Huntington	Otis	Taber	Wright
Bristol	Jones	Platt	Vanderbilt	19

FOR THE NEGATIVE.

Conger	1
--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Frederick Burton and Sophrona Burton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beekman	Davenport	Newcomb	Snow	Ward
Bennett	Huntington	Otis	Taber	Williams
Bristol	Jones	Platt	Vanderbilt	Wright
Clark	Kirby	Rogers		18

FOR THE NEGATIVE.

Conger	Cornell	2
--------	---------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of James E. Shader," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	Kirby	Rogers	Ward
Beekman	Davenport	Newcomb	Snow	Williams
Bennett	Huntington	Otis	Taber	Wright
Bristol	Jones	Platt		18

FOR THE NEGATIVE.

Conger	Cornell	2
--------	---------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Charles G. Barnes," was read a third time,"

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	Kirby	Rogers	Ward
Beekman	Davenport	Newcomb	Snow	Williams
Bennett	Huntington	Otis	Taber	Wright
Bristol	Jones	Platt	Vanderbilt	19

FOR THE NEGATIVE.

Conger	Cornell	2
--------	---------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Lewis Frotier," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	Kirby	Rogers	Ward
Beekman	Davenport	Newcomb	Snow	Williams
Bennett	Huntington	Otis	Taber	Wright
Bristol	Jones	Platt	Vanderbilt	19

FOR THE NEGATIVE.

Conger	1
--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Joshua S. Williams," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	Kirby	Rogers	Ward
Beekman	Davenport	Newcomb	Snow	Williams
Bennett	Huntington	Otis	Taber	Wright
Bristol	Jones	Platt	Vanderbilt	19

FOR THE NEGATIVE.

Conger	Cornell	2
--------	---------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appraisement of canal damages of Alphonso Wetmore," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach.	Clark	Kirby	Rogers	Ward	
Beekman	Davenport	Newcomb	Snow	Williams	
Bennett	Huntington	Otis	Taber	Wright	
Bristol	Jones	Platt	Vanderbilt		10

FOR THE NEGATIVE.

Conger	Cornell				2
--------	---------	--	--	--	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the appraisement of canal damages of Thomas Countryman," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beekman	Clark	Jones	Newcomb	Ward	
Bennett	Cornell	Kirby	Rogers	Williams	
Bristol	Huntington	McElwain	Snow		14

FOR THE NEGATIVE.

Babcock	Conger	Otis	Taber	Wright	
Beach	Davenport	Platt	Vanderbilt		9

Mr. Snow moved to reconsider said vote, and that such motion lay on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Kirby, and by unanimous consent,

Resolved, That the bill entitled "An act to provide for the enrolment of the militia, and the organization of uniform corps, and the discipline of the military forces of the State of New-York," be taken from the general orders and referred to a select committee of five, with power to report the same complete.

The President appointed as such committee, Messrs. Kirby, Bristol, Williams, Morgan and McElwain.

The bill entitled "An act to reorganize the first regiment of New-York volunteers and other soldiers engaged in the late war with Mexico, into an independent battalion for ten years," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Munroe	Smith
Bartlett	Cornell	McElwain	Otis	Snow
Beach	Davenport	McMurray	Platt	Ward
Beekman	Huntington	Morgan	Rogers	Williams
Bristol	Jones			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorising the Canal Board to hear and determine the claim of Edward Murray," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Conger	Jones	Newcomb	Taber
Beekman	Cornell	Kirby	Otis	Ward
Bennett	Davenport	McElwain	Rogers	Williams
Bristol	Huntington	McMurray	Snow	Wright
Clark				

21

FOR THE NEGATIVE.

Platt	Smith	2
-------	-------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the cemetery grounds of the congregation of Shearith Israel," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Newcomb	Snow
Beach	Conger	Kirby	Rogers	Taber
Beekman	Cornell	McElwain	Smith	Ward
Bristol	Huntington	Munroe		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the New-York live stock insurance company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the nega-

tive, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Newcomb	Snow	Williams	
Beekman	Huntington	Rogers	Ward	Wright	
Bennett	McElwain	Smith			12

FOR THE NEGATIVE.

Babcock	Clark	Cornell	Kirby	Taber	
Beach	Conger	Jones	McMurray		9

Mr. Snow moved that the vote just taken be reconsidered, and that said motion lay on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled "An act authorising the formation of county teachers' associations," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Jones	Newcomb	Taber	
Beekman	Conger	Kirby	Otis	Ward	
Bennett	Cornell	Morgan	Platt	Williams	
Bristol	Huntington	Munroe	Snow	Wright	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Wright moved that the Senate do now adjourn.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Taber	Wright	
Clark	Cornell	Rogers	Ward		9

FOR THE NEGATIVE.

Babcock	Huntington	Morgan	Otis	Snow	
Beekman	Kirby	Munroe	Platt	Vanderbilt	
Bennett	McElwain	Newcomb	Smith	Williams	
Bristol					16

Mr. Munroe moved to lay the present order of business on the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	Morgan	Platt	Vanderbilt	
Beach	Kirby	Munroe	Snow	Ward	

Beekman	McElwain	Otis	Taber	Williams	16
Bristol					

FOR THE NEGATIVE.

Bartlett	Cornell	McMurray	Rogers	Wright	<u>9</u>
Conger	Jones	Newcomb	Smith		

Mr. Munroe offered for the consideration of the Senate, a resolution, in the words following, to wit:

Resolved, That the third reading of bills shall be the special order to-morrow morning at eleven o'clock.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babeock	Bristol	Morgan	Platt	Taber	
Bartlett	Huntington	Munroe	Rogers	Vanderbilt	
Beach	Kirby	Newcomb	Smith	Ward	
Beekman	McElwain	Otis	Snow	Williams	20

FOR THE NEGATIVE.

Cornell	Davenport	Jones	McMurray	4
---------	-----------	-------	----------	---

On motion of Mr. Platt,

Resolved, That Assembly bill, No. 203, in relation to the Oswego canal, be taken from the general order, and referred to the committee on the judiciary, with power to report complete.

Mr. Newcomb offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the Clerk of the Senate be and he is hereby directed, to purchase at a price not exceeding five dollars per copy, copies of the "general index to the laws of this State," (from 1777 to 1850,) published by John S. Vorhies, of the city of New-York, to be placed in the library of the Senate; and that the expense thereof be provided to be paid for in the supply bill of the present session of the Legislature: which was referred to the committee on the judiciary.

By unanimous consent,

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the memorial of the mayor, &c., of the city of New-York, to raise \$75,000 for certain purposes, reported, and asked and obtained leave to introduce a bill entitled "An act to authorise the mayor, aldermen and commonalty of the city of New-York, to raise seventy-five thousand dollars by loan, and to fund the same for the erection of the south wing of the work house of Blackwells Island," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,
Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the terms of the city court of Brooklyn," reported in favor of the passage of the same without amendment.

By unanimous consent,
Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Munroe,
The Senate adjourned until ten o'clock, a. m. to-morrow.

SATURDAY, APRIL 9, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wadhams.

The journal of yesterday was read and approved.

Mr. Vanderbilt presented the remonstrances of the citizens of Brooklyn against any amendments of the charter of said city, or giving additional powers to the corporation unless first submitted to the people, which were referred to the committee on the incorporation of cities and villages.

Mr. Jones presented the remonstrance of citizens of Port Jarvis, also, of the citizens of Hancock, Delaware county, against tolls on railroads, which were committed to the committee of the whole.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Genesee Suspension Bridge Company,' passed April 16, 1852," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Jones, from the committee on claims, to which were referred the petition and papers of Alexander McGee, for relief, reported adversely, and moved that the prayer of the petitioner be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Rogers, from the committee on State prisons, to which was referred the Assembly bill entitled "An act making appropriations for supplying the Western House of Refuge with water, and for other purposes," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Rogers from the committee on trade and manufactures, to which was referred the Assembly bill entitled "An act to incorporate the Fort Henry furnaces," reported in favor of the passage of the same without amendment.

By unanimous consent,
Ordered, That said bill be referred to a select committee to report complete.

The President appointed as such committee Messrs. Rogers, Wright and Smith.

Mr. Bartlett, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorise the formation of railroad corporations and to regulate the same,' passed April 2, 1850," reported in favor of the passage of the same without amendment.

On motion of Mr. Vanderbilt,

The said bill was re-committed to the committee on railroads, with instructions to confine its operations to the Long Island railroad and with power to report the same complete.

By unanimous consent,

Mr. Upham asked for and obtained leave to introduce a bill entitled "An act to authorise the board of supervisors of Genesee county to borrow money and levy a tax for building a bridge across Allens' creek in the village of LeRoy," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Newcomb	Upham
Beau	Conger	McMurray	Platt	Vanderbilt
Beekman	Cooley	Morgan	Rogers	Ward
Bennett	Davenport	Munroe	Snow	Williams
Bristol	Huntington			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to authorise the city of Utica to take stock in the Black river and Utica railroad, and to sell its bonds to provide for the payment thereof," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to authorise the city of Oswego to take stock in railroads and to sell its bonds to provide for the payment thereof," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled

"An act to authorise the town of North Dansville, to borrow money to aid in the construction of a railroad through said town," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to authorise the city of Buffalo and Pittsburgh railroad company," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorise the town officers of Hyde Park to purchase ground for a town cemetery,'" with power to report complete, so reported, which report was agreed to, and said bill was ordered to a third reading.

Mr. Snow, from the committee on medical societies and colleges, to which was referred the Assembly bill entitled "An act to amend an act entitled an act to incorporate medical societies for the purpose of regulating the practice of physic and surgery in this state passed April 10, 1851," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Snow, from the committee on medical societies and colleges, to which was referred the Assembly bill entitled "An act to amend an act act entitled 'An act to incorporate the New-York Academy of Medicine,' passed June 23, 1851," with power, ty report complete so reported, and said bill was ordered to a third reading.

Mr. Beekman from the select committee to which was referred the Assembly bill entitled "An act to authorise school districts in the towns of this state to raise money to pay librarians," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Platt from the committee on commerce and navigation to which was referred the Assembly bill entitled "An act for the protection of emigrant passengers arriving at the city of New-York," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Platt, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act entitled an act to provide for the licensing and government of the pilots and regulating pilotage of the port of New-York," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Rogers, from the committee on State prisons, to which was referred the Assembly bill entitled "An act to complete the improvement of the Owasco Outlet," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Rogers, from the select committee to which was referred.

the Assembly bill entitled "An act to amend an act incorporating the village of Plattsburgh," passed April 26, 1831, and the acts amendatory thereof," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act relative to the Northern jury district in the county of Washington," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalise the official acts of Stephenson T. Babcock, as justice of the peace, and to authorise him to take the oath of office required by law," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act requiring the police justices in the city of New-York to file records of all convictions of vagrancy," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the State in certain lands of which Noah Mead died possessed, and to grant the right to Jemima Patterson to hold the same," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorise the Monticello and Wurtshoro' Plank Road Company, to purchase from the Newburgh and Cohecton turnpike road company, a bridge across the Neversink river and for other purposes," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend the act to incorporate the Auburn Female university, passed January 29, 1853," reported adversely, and moved that said bill be not passed.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock, from the select committee, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of health,' passed April 10, 1850," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Rogers, from the select committee, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act extending the boundaries and amending the charter of the village of Ogdensburgh,' passed June 20, 1851," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Jones, from the select committee, to which was referred the Assembly bill entitled "An act to provide for the extension of the draining of the Black creek or Crosier swamp, in the county of Ulster," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Platt, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the St. Mary's Falls ship canal company," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Beekman, from the select committee of Senators from the third, fourth, fifth and sixth districts, to which was referred the Assembly bill entitled "An act relative to the purchase, possession, and laying out of certain lands for a public park in the 19th ward of the city of New-York, and the powers and duties of the mayor, aldermen, and commonalty relative thereto," reported favorably from a majority of said committee.

Debate was had thereon, when

Mr. Beekman moved that the same be made a special order for Monday next, after reports of committees.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Rogers	Upham	Ward	
Beekman	Munroe	Smith	Van Schoonhoven	Wright	
Bennett	Newcomb	Snow			13

FOR THE NEGATIVE.

Habcock	Conger	Davenport	McElwain	Vanderbilt	
Beach	Cooley	Huntington	McMurray	Williams	
Clark	Cornell	Jones	Otis		14

Said bill was then committed to the committee of the whole.

Mr. Conger, from the select committee, to which was referred the bill entitled "An act to amend chapter 460, of the Laws of 1847," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Conger, from the select committee, to which was referred the bill entitled "An act amending chapter 478, of the Laws of 1851, entitled 'An act to regulate the planting and taking of oysters in the Harlem river,'" with power to report complete so reported, and said bill was ordered engrossed for a third reading.

Mr. Huntington, from the select committee, to which was referred the Assembly bill entitled "An act for the relief of the receiver of the Utica Insurance company," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Huntington, from the select committee, to which was referred the Assembly bill entitled "An act to enable the Salmon river plank road company to sell parts of their road to the Pulaski and Selkirk plank road company, and to abandon and discontinue a portion of their road," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Huntington, from the select committee, to which was referred the Assembly bill entitled "An act to consolidate the several school districts in the village of Pulaski, into one district, and provide for a school therein, and to amend the act entitled 'An act to incorporate the village of Pulaski, in the county of Oswego,' passed April 10, 1849," with power to report complete, so reported, and said bill was ordered to a third reading.

On motion of Mr. Clark, and by unanimous consent,

Resolved, That Assembly bill entitled "An act to authorise the town of North Dansville to borrow money to aid in the construction of a railroad through said town," also, "An act to authorise the city of Oswego to take stock in railroad," &c, also, "An act to authorise the city of Utica to take stock in the Black river and Utica railroad," &c, also Senate bill "An act to authorise the city of Buffalo to loan its bonds to the Pittsburgh railroad company," were referred to select committees to report complete.

The President appointed as such committee Messrs. Clark, Babcock and Platt on the first mentioned bill, and Messrs. Clark, Babcock and Platt on the second mentioned bill, and Messrs. Clark, Babcock and Platt on the third mentioned bill, and Messrs. Babcock, Bartlett and Platt on the fourth mentioned bill.

Mr. Bristol, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill, entitled "An act for the payment to William George Barnhart, Jacob Barnhart and others, the amount to which they are entitled &c.," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bristol, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the improvement of Rackett river, and the tributaries thereof," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cornell, from the select committee, to which was referred the Assembly bill entitled "An act to allow the Chemung Valley bridge company in the county of Chemung to alter the plan of their bridge," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the Oswego canal," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act declaring Black river a public highway, and regulating the passage of logs and lumber down the same from the Moose river tract to the junction with Moose river, and for the improvement of the said river," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Williams, from the committee on the incorporation of cities and villages to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Williamsburgh waterworks company,' " passed April 16th, 1852, three-fifths being present, reported said bill from a majority of said committee for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Vanderbilt from the minority of said committee reported adversely with amendments to said bill.

Mr. Snow, from a majority of the select committee to which was referred the Assembly bill entitled "An act to incorporate the New-York Homœopathic association in the city of New-York," with power to report complete, so reported, which report was agreed to, and said bill was ordered engrossed for a third reading.

Mr. Morgan, from the select committee to which was referred the Assembly bill entitled "An act to restrict and regulate the power of municipal corporations to borrow money, contract debts, and loan their credit," with power to report complete, so reported, which report was agreed to, and said bill was ordered engrossed for a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act further to amend the charter of the city of New-York," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be referred to select committee to report complete.

Mr. Cornell, from the select committee to which was referred the Assembly bill entitled "An act to authorise the Hammondsport and Bath plank road company to abandon a part of their road without completing the same," with power to report complete, so reported, which report was agreed to, and said bill was ordered to a third reading.

Mr. Bennett from a majority of the committee on internal affairs of towns and counties to which was referred the Assembly bill entitled "An act to amend an act to equalize taxes

tion," passed May 13, 1846, with power to report complete, so reported, Mr. Ward dissenting.

Debate was had thereon, when

Mr. Cooley moved to lay said report and bill on the table.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Platt	Vanderbilt
Beach	Conger	Kirby	Smith	Ward
Beekman	Cooley	Munroe	Upham	
				14

FOR THE NEGATIVE.

Bartlett	Cornell	Newcomb	Snow	VanSchoonhoven
Bennett	Davenport	Otis	Taber	Wright
Bristol	Jones	Rogers		
				13

Mr. Williams, from the select committee, to which was referred the Assembly bill entitled "An act to authorise the supervisors of Seneca county, to levy a tax upon the town of Fayette, to pay the balance due for rebuilding a bridge," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Upham, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Taber, from the select committee, to which was referred the bill entitled "An act to authorise the incorporation of Roman Catholic congregations or societies," with power to report complete, so reported.

Mr. Babcock moved that said report be laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Ward called for the special order, it being the third reading of bills.

Mr. Bristol moved to postpone until reports of committees be completed.

Mr. Ward called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Davenport	Munroe	Rogers
Bartlett	Bristol	Jones	Newcomb	Snow
Beach	Clark	McElwain	Platt	Upham
Beekman				
				16

FOR THE NEGATIVE.

Conger	Cornell	Otis	Vanderbilt	Ward
				15

Mr. Upham, from the select committee, to which was referred the Assembly bill entitled "An act for the relief of the Ransomville plank road company in the county of Niagara," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Upham, from the select committee, to which was referred the Assembly bill entitled "An act to incorporate the Firemen's Benevolent association of the village of Le Roy," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Van Schoonhoven presented the annual report of the Troy Savings bank, which was referred to the committee on banks and insurance companies.

Mr. Bristol, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act to provide for the education of the children of the St. Regis Indians in the county of Franklin," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the improvement of the channels of Moose river and Swamp creek," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to enable the Clyde and Rose plank road company to abandon a part of their road," reported in favor of the passage of the same without amendment.

By unanimous consent,
Ordered, That said bill do have its third reading.

Mr. Munroe, from the committee on railroads, to which was referred the Assembly bill entitled "An act relative to the reports and contracts of certain railroad corporations," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to establish a free school in district number three, in the town of Cherry Valley," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. McElwain, from the select committee, to which was referred the Assembly bill entitled "An act to facilitate the forming of agricultural and horticultural societies," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to repeal an act entitled 'An act to prevent fraudulent, fictitious or pretended

sales at auctions,' passed May 8, 1847," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Snow asked for and obtained leave to introduce a bill entitled "An act to authorise Levi S. Baekus to distribute one hundred and fifty copies of a newspaper called the "Radii," to educate deaf mutes, and to provide compensation for the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act to authorise the city of Buffalo to loan its bonds to the Buffalo and Pittsburgh railroad company," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Jones from committee to which was referred the petition of John Tilford, to confirm title, &c., reported, and asked and obtained leave to introduce a bill entitled "An act to confirm the title of three acres of land in the town of Crawford, in Orange county, to John Tilford," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act making an appropriation and authorising a loan on the credit of the county of Warren, and levying a tax on the towns of Chester and Johnsburch, in said county, for building a bridge across the west branch of the Hudson, in Warren county."

"An act to authorise the formation of companies for ferry purposes."

"An act to consolidate and amend the several acts relating to the village of Batavia, to alter the bounds and to enlarge the power of the corporation of said village."

A message from the Assembly was received and read, informing that they do non-concur in the passage of the following entitled bills, to wit:

"An act appropriating a portion of the wages of convicts for the use of their families."

The bill entitled "An act relating to incorporated banks, banking associations and individual bankers, located and doing business in the city of New-York," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent;

Ordered, That said bill be referred to the committee on banks and insurance companies, to report complete.

The bill entitled "An act to authorize the mayor, aldermen and commonalty of the city of New-York, to raise \$75,000 by loan, and to fund the same for the erection of the south wing of the work house at Blackwell's Island," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Newcomb	Vanderbilt
Bartlett	Cornell	McElwain	Platt	Ward
Beach	Davenport	Morgan	Taber	Williams
Beckman	Huntington	Munroe	Upham	Wright
Bristol	Jones			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act to establish the Dutchess turnpike company so as to authorize such company to Macadamize all or some portion or portions thereof, and for other purposes,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Newcomb	Taber
Bartlett	Cooley	Kirby	Platt	Upham
Beach	Davenport	McElwain	Snow	Vanderbilt
Beckman	Huntington	Munroe		

18

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act further to amend an act to amend and consolidate the several acts relating to the city of Rochester, passed April 15, 1852,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Taber
Beckman	Cooley	Kirby	Newcomb	Upham
Bennett	Davenport	McElwain	Platt	Williams
Bristol	Huntington	Morgan	Snow	Wright

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relating to the terms of the city court of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Munroe	Taber	
Bartlett	Cooley	Jones	Newcomb	Vanderbilt	
Beekman	Cornell	McElwain	Platt	Williams	
Bristol	Davenport	Morgan	Snow	Wright	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act providing for the erection and locating of a new court house and jail in the county of Queens," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Davenport	McElwain	Otis	
Bartlett	Conger	Huntington	Morgan	Platt	
Beach	Cooley	Jones	Munroe	Snow	
Beekman	Cornell	Kirby	Newcomb	Vanderbilt	
Bristol					21

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Morgan, and by unanimous consent,

Resolved, That Assembly bill entitled "An act in relation to the police department of the city and county of New-York," be taken from the committee of the whole and ordered to a third reading.

A resolution was received from the Assembly, in the following words, to wit :

Resolved, (if the Senate concur,) that the Legislature adjourn on Wednesday the 13th instant at 4 o'clock P. M.

The bill entitled "An act authorising the Canal Commissioners to erect a bridge over the Canajoharie creek, in the village of Canajoharie," having been read a third time,

Mr. Babcock moved that the same be recommitted to the committee on the internal affairs of towns and counties, with

instructions to amend the same by providing that the supervisors of the county of Montgomery shall build said bridge and assess the expense thereof upon such town or towns of said county, as the said board shall deem equitable and just.

Mr. Cornell moved to amend by inserting "claims" in place of "internal affairs of towns and counties." Mr. Babcock accepted the amendment.

The President put the question whether the Senate would agree to the motion of Mr. Babcock to recommit, and it was decided in the affirmative.

Mr. Snow moved to reconsider the vote on said resolution, &c.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Huntington	Platt	VanSchoonhoven
Beekman	Conger	Otis	Rogers	Wright
Bennett				

11

FOR THE NEGATIVE.

Babcock	Cornell	McElwain	Upham	Ward
Bristol	Davenport	Munroe		

8

The President then announced the question to be on the motion of Mr. Babcock as amended.

Debate was had thereon, when

Mr. Babcock withdrew his said motion.

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beekman	Clark	Huntington	Rogers	VanSchoonhoven
Bennett	Cooley	Newcomb	Snow	Williams

10

FOR THE NEGATIVE.

Babcock	Conger	Jones	McElwain	Platt
Beach	Cornell	Kirby	Munroe	Upham
Bristol	Davenport			

12

Mr. Snow moved to reconsider said vote and that said motion be laid upon the table.

Mr. Cornell moved to postpone the question thereon indefinitely.

Mr. Snow called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Davenport	McElwain	Upham
Bartlett	Conger	Jones	Munroe	Ward
Beach	Cornell	Kirby	Platt	Williams
Beekman				

16

FOR THE NEGATIVE.

Bennett	Cooley	Newcomb	Snow	Wright
Clark	Huntington	Rogers	VanSchoonhoven	

9

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to authorise the business of banking,' passed April 18, 1838," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

Mr. Upham moved that the present order of business be laid upon the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Huntington	Newcomb	Upham	VanSchoonhoven
Cooley	McElwain	Platt		

8

FOR THE NEGATIVE.

Beekman	Conger	Jones	Munroe	Smith
Bennett	Cornell	Kirby	Otis	Ward
Bristol	Davenport	Morgan	Rogers	Wright

15

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered, the following entitled bill:

"An act to make the village of Silver Creek a separate road district."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Morgan	Rogers
Bartlett	Clark	Jones	Munroe	Snow
Beach	Cooley	Kirby	Otis	VanSchoonhoven
Beekman	Davenport	McElwain	Platt	Ward
Bennett				

21

FOR THE NEGATIVE.

Williams

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the said amendment.

By unanimous consent,

Mr. Ward, from the select committee of eight, to which was referred the general orders for selection of suitable bills to be referred to select committees with power to report complete, reported the following Assembly bill:

"An act to amend an act to incorporate the Williamsburgh water works company, passed April 16, 1852," three-fifths being present.

The bill entitled "An act for the relief of Oliver Pool, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Davenport	McElwain	Upham	Ward
Beekman	Huntington	Newcomb	Vanderbilt	Williams
Bristol	Jones	Platt	VanSchoonhoven	Wright
Clark	Kirby	Rogers		

18

FOR THE NEGATIVE:

Babcock	Conger	Munroe	Smith	Snow
Bartlett	McMurray	Otis		

8

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the Cayuga nation of Indians annuity," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	Upham
Bartlett	Cornell	McElwain	Platt	Ward
Beekman	Davenport	McMurray	Rogers	Williams
Bristol	Huntington	Munroe	Smith	Wright
Clark	Jones	Newcomb		

28

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

At a quarter to two o'clock, p. m., the Senate took a recess to four o'clock p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Rogers, from the select committee to which was referred

the Assembly bill entitled "An act to incorporate the Port Henry furnaces," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Kirby, from the committee on militia and public defence, to which was referred the Assembly bill entitled "An act to provide for the enrolment of the militia and the organization of uniform corps and the discipline of the military forces of the State of New-York," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the payment of certain costs, damages, and expenses to Peter Clogher," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend article third, chapter fifth, part second, title first, of the Revised Statutes of the State of New-York, entitled of voluntary assignments made pursuant to the application of an insolvent and his creditors," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act incorporating the village of Dansville," which was read the first time and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the proceedings for opening certain streets in Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the care and instruction of idle and truant children," which was read the first time and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on charitable and religious societies, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to exempt the Assay office of the United States, in the city of New York from assessment or tax," which was read the first time and by unanimous consent was read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the president and trustees of the village of Rome to subscribe and pay for stock in a corporation organised or to be organised for the construction of a railroad from the river St. Lawrence through the county of Lewis, to the village of Rome," which was read the first time, and by unanimous consent was also read a second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee, to report complete.

The President appointed as such committee Messrs. Clark, Babcock and Platt.

A bill was received from the Assembly for concurrence, entitled "An act relating to compensation of Justices of the Peace in criminal cases," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on judiciary to report complete.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the salaries of the keepers and guards of the several State prisons," which was read the first time, and by unanimous consent was also read a second time and referred to the committee on State Prisons.

A bill was received from the Assembly for concurrence, entitled "An act in relation to plank roads," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to committee on road and bridges, to report complete.

By unanimous consent,

Mr. Clark called up the concurrent resolution offered by him on the 4th inst., for appointment of a joint committee for the examination of treasury and Bank departments.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

The bill entitled "An act to amend an act entitled 'an act to provide for the incorporation and regulation of telegraph companies passed April 12, 1848,'" was read the third time and passed.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Platt	Upham
Beekman	Huntington	Morgan	Rogers	Ward
Bristol	Jones	Munroe	Smith	Wright
Clark	Kirby	Newcomb		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable Maria Vencenta Rodríguez an alien to hold, grant, and convey certain real estate or interest therein, and to appoint her trustees under the will of Vincenza Rodríguez," was read the third time and passed.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Upham
Bartlett	Cooley	Morgan	Rogers	Vanderbilt
Beekman	Cornell	Munroe	Smith	Ward
Bristol	Huntington	Newcomb	Taber	Wright
Clark	Kirby			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to confirm the title of Cornelius Vanderbilt, to certain land under water, in the county of Richmond, and to make certain letters patent valid," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Jones	Newcomb	Upham
Beach	Cornell	Kirby	Rogers	Vanderbilt
Bennett	Davenport	Morgan	Snow	Ward
Bristol	Huntington	Munroe		

18

FOR THE NEGATIVE.

Babcock	Conger	McElwain	Smith
---------	--------	----------	-------

4

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The question whether said bill required a two-third vote for its passage was laid upon the table.

The Assembly bill, entitled "An act relative to the Mospeth Avenue and Toll Bridge Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beekman	Cooley	Kirby	Platt	Taber
Bennett	Davenport	McElwain	Smith	Upham
Bristol	Huntington	Munroe	Snow	Vanderbilt
Conger	Jones	Newcomb		

18

FOR THE NEGATIVE.

Babcock	Beach	Ward	Williams	Wright	5
---------	-------	------	----------	--------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing the Senate that they have passed the same with the amendment therewith delivered.

The bill entitled "An act to incorporate the St. Mary's Falls Ship Canal Company," was read a third time:

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Davenport	McMurray	Platt	Upham
Beach	Jones	Morgan	Rogers	Vaerbilt
Beekman	Kirby	Munroe	Smith	Ward
Bennett	McElwain	Nawcomb	Snow	Wright
Clark				

20

FOR THE NEGATIVE.

Conger

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the repair of the locks on the Champlain canal," having been read a third time,

Mr. Taber moved to recommit, with instructions to amend, so that the bill shall read as follows, and report at any time, complete.

AN ACT

In relation to the Champlain canal

The People of the State of New-York represented in Senate and Assembly, do enact as follows:

§ 1. Whenever any lock or locks on the Champlain canal become unfit for use, or so dilapidated as to require rebuilding, the Canal Commissioners shall rebuild or construct the same of the same size, form and capacity, of the enlarged locks on the Erie canal.

§ 2. The Commissioners may, if deemed necessary for the public interests, change the location of any of said locks, and diminish their number, and to do the necessary work to bring them into use.

§ 3. It shall be the duty of said Canal Commissioners to cause accurate estimates to be made of the cost of rebuilding any of said locks of the present dimensions, and also of constructing the same on the enlarged plan; and whatever the expense of the enlarged lock or locks, shall exceed the estimated expense of reconstructing them of the present size, shall be charged to ordinary repairs.

§ 4. This act shall take effect immediately.

Mr. Vanderbilt called for a division of the question.

The President put the question whether the Senate would agree to the said motion of Mr. Taber to recommit, and it was decided in the affirmative.

The President announced the question to be on the instructions committee to report the bill as contained in said motion of Mr. Taber.

Mr. Cornell moved that said bill offered by Mr. Taber, be referred to the committee on the judiciary, with instructions to inquire as to the constitutionality of the same.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Debate was further had thereon, when

Mr. Cornell moved to reconsider the vote on the adoption of the motion made by him.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on the instructions to committee as proposed in the motion of Mr. Taber.

Mr. Cornell moved to strike out all after the word "recommit" in said motion of Mr. Taber, and insert as follows: "that the committee be instructed to report upon the constitutionality of the proposed subject."

Debate was had thereon, when

Mr. Cornell withdrew his said motion.

Mr. Taber also withdrew his said motion to recommit.

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beach	Cooley	McElwain	Smith	VanSeboonhoven
Beckman	Davenport	Newcomb	Snow	Ward
Bennett	Huntington	Platt	Taber	Williams
Bristol	Jones	Rogers	Upham	Wright
Clark	Kirby			

22

FOR THE NEGATIVE.

Babcock Conger

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Franklin Bridge Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Morgan	Rogers	Upham
Beekman	Huntington	Munroe	Smith	Vanderbilt
Bristol	Jones	Newcomb	Snow	Ward
Clark	Kirby	Platt	Taber	Wright
Cooley	McElwain			

23

Ordered, That the clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for free schools in the village of Waterloo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Huntington	Morgan	Smith
Beach	Conger	Jones	Newcomb	Upham
Beekman	Cooley	Kirby	Platt	Ward
Bristol	Davenport	McElwain	Rogers	Wright

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to release to James Knox and William Knox, the interest of the State in certain bonds and mortgages," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Taber
Bartlett	Cooley	Morgan	Rogers	Vanderbilt
Beach	Davenport	Munroe	Smith	Ward
Beekman	Huntington	Newcomb	Snow	Williams
Bristol	Kirby			

22

FOR THE NEGATIVE.

Jones	Wright
-------	--------

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the board of supervisors of the county of Oneida, to levy a tax on the town of Western, for the support of roads and bridges," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	Morgan	Rogers	Upham
Bartlett	Huntington	Munroe	Smith	Vanderbilt
Beekman	Jones	Newcomb	Snow	Ward
Conger	Kirby	Platt	Taber	Williams
Cooley	McElwain			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to incorporate the Dunkirk savings bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Newcomb	Snow
Bartlett	Conger	McElwain	Platt	Upham
Beach	Davenport	Morgan	Rogers	Ward
Beekman	Huntington	Munroe	Smith	Williams
Bennett	Jones			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for erecting a new court house and jail for the county of Wayne," having been read a third time,

Mr. Babcock moved to recommit, with instructions to report Assembly bill, No. 222, entitled "An act to provide for establishing the site and for the erection of a new court house and jail for the county of Wayne," in place of said bill.

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Smith
---------	-------

2

FOR THE NEGATIVE.

Bartlett	Conger	Jones	Newcomb	Upham
Beach	Cooley	Kirby	Platt	Vanderbilt
Beekman	Cornell	McElwain	Rogers	Ward
Bennett	Davenport	Morgan	Snow	Williams
Bristol	Huntington	Munroe	Taber	Wright
Clark				

26

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Newcomb	Taber
Bartlett	Conger	Kirby	Platt	Upham
Beach	Cornell	McElwain	Rogers	Vanderbilt
Beekman	Davenport	Morgan	Smith	Ward
Bennett	Huntington	Munroe	Snow	Williams
Bristol				

26

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment,

The Assembly bill entitled "An act to release the interest of the people of the State of New-York in certain real estate, of which George McCaughal died seised and possessed," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and two-thirds of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Upham
Bartlett	Cooley	McElwain	Rogers	Vanderbilt
Beekman	Davenport	Morgan	Smith	Ward
Bristol	Huntington	Munroe	Taber	Williams
Clark	Jones			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to regulate the fees for searches in the office of the city and county of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Platt	Vanderbilt
Bartlett	Cooley	Kirby	Rogers	Ward
Beekman	Davenport	McElwain	Smith	Williams
Bristol	Huntington	Newcomb	Snow	Wright
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the Buffalo and New-York city railroad company to construct branch tracks for freighting and other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Platt	Vanderbilt
Bartlett	Conger	McElwain	Rogers	Ward
Beach	Davenport	Morgan	Smith	Williams
Beekman	Huntington	Munroe	Upham	Wright
Bristol	Jones	Otis		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act authorising the Attorney General to discharge a judgment against the Potsdam and Watertown railroad," having been read a third time,

By unanimous consent,

The same was amended by striking out, at the end of § 1, the words "upon said company paying the costs included in said judgment."

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Platt	Upham
Bartlett	Conger	Kirby	Rogers	Vanderbilt
Beach	Cooley	McElwain	Smith	Ward
Beekman	Davenport	Morgan	Snow	Williams
Bennett	Huntington	Munroe	Taber	Wright

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise any railroad corporation in this State to subscribe to the capital stock of the Whitehall and Plattsburgh railroad company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	McElwain	Smith	Ward
Beekman	Cooley	Munroe	Snow	Williams
Bennett	Huntington	Platt	Taber	Wright
Bristol	Kirby	Rogers	Upham	19

FOR THE NEGATIVE.

Conger	Cornell	Jones	3
--------	---------	-------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act in relation to the police department of the city and county of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Munroe	Taber
Beekman	Cooley	Kirby	Platt	Vanderbilt
Bennett	Davenport	McElwain	Smith	Ward
Clark	Huntington	Morgan	Snow	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to incorporate the publishing committee of the Northern Christian Advocate in Auburn, Cayuga county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Kirby	Munroe	Vanderbilt
Beach	Clark	McElwain	Platt	Ward
Beekman	Cooley	Morgan	Snow	Williams
Bennett	Huntington			
				17

FOR THE NEGATIVE.

Babcock	Conger	Cornell	Jones	4
---------	--------	---------	-------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to incorporate the Junior New-York Journeymen Shipwright and Caulkers' Benevolent Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the af-

firmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Kirby	Munroe	Taber
Beach	Cooley	McElwain	Platt	Vanderbilt
Beekman	Davenport	Morgan	Snow	Ward
Bennett	Huntington			

17

FOR THE NEGATIVE.

Conger Jones

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Morgan moved the Senate take recess to 7½ o'clock p.m.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

HALF-PAST SEVEN O'CLOCK.

The Senate again met.

By unanimous consent,

Mr. Beekman, from the select committee on Assembly bill, entitled "An act to amend the charter of the city of New-York," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Bartlett, from the committee on railroads, to which was referred the Assembly bill, entitled "An act to amend an act, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorise the construction of a bridge across Black river, at the village of Carthage, in Jefferson county," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Taber, from the select committee, to which was referred the Assembly bill entitled "An act to annex certain parts of the third and fourth wards of the city of Schenectady to the towns of Niskayuna and Rotterdam, in the county of Schenectady," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Taber, from the select committee, to which was referred the bill entitled "An act to supply the city of Schenectady

with water," with power to report complete, so reported, and said bill was ordered, engrossed, for a third reading.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate to the following entitled bill "An act to regulate the fees for searches in the office of the clerk of the city and county of New-York."

Ordered, That the Clerk return said bill to the Assembly.

By unanimous consent,

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill, entitled "An act to exempt the Assay office of the United States, in the city of New-York from assessment or tax," with power to report complete, so reported, and the said bill was ordered to a third reading.

The Assembly bill entitled "An act to amend the charter of the city of Syracuse, and the several acts amending the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bennett	Cornell	Kirby	Platt
Barlett	Bristol	Davenport	McElwain	Smith
Beach	Conger	Huntington	Morgan	Taber
Beekman	Cooley	Jones	Munroe	Vanderbilt 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Beach, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 124, being an act to establish an Orphan Asylum in the city of Auburn, under the following title "Auburn Orphan Asylum" of the holy family and that the same be ordered to a third reading.

The Assembly bill entitled "An act authorizing the construction of a bridge across Black river, in the village of Carthage, in Jefferson county, having been read a third time,

On motion of Mr. Babcock, the same was committed to a select committee, with instructions to amend the same, to conform to the provisions of Senate bill No. 116, and that said committee report the same forthwith complete.

The President appointed as such committee, Messrs. Davenport, Babcock, and Cornell.

The Assembly bill entitled "An act to incorporate the Poughkeepsie Aqueduct and Hydraulic company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative,

a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Jones	Munroe	Taber
Beach	Cooley	Kirby	Platt	Vanderbilt
Beekman	Davenport	McElwain	Smith	Ward
Bennett	Huntington	Morgan	Snow	Williams 20

FOR THE NEGATIVE.

Conger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the relief of the President and Directors of the Williamsburgh turnpike road and bridge company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beekman	Cornell	Kirby	Platt	Taber
Bennett	Davenport	McElwain	Smith	Vanderbilt
Bristol	Huntington	Morgan	Snow	Ward
Cooley	Jones	Munroe		18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the Brooklyn Flatbush and Canarsie Plank Road company, to collect toll in certain cases," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Morgan	Taber
Bartlett	Conger	Jones	Munroe	Vanderbilt
Beach	Cooley	Kirby	Smith	Ward
Bennett	Cornell	McElwain	Snow	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act in relation to suits by and against joint stock companies and associations, passed April 7, 1849," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirm-

ative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Smith	Upham
Bartlett	Cornell	Kirby	Snow	Vanderbilt
Bennett	Davenport	McElwain	Taber	Ward
Bristol	Huntington			

17

FOR THE NEGATIVE.

Beach

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to incorporate the Firemen's benevolent association of the village of Le Roy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Bristol	McElwain	Platt	Upham
Beach	Davenport	Morgan	Smith	Ward
Beekman	Huntington	Munroe	Snow	Williams
Bennett	Kirby			

17

FOR THE NEGATIVE.

Babcock	Cornell	Jones	Taber	Vanderbilt
Conger				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the construction of draw bridges over the Flushing and Newtown creeks, in the counties of Queens and Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Munroe	Taber
Bartlett	Conger	Kirby	Platt	Upham
Beach	Cooley	McElwain	Smith	Vanderbilt
Beekman	Davenport	Morgan	Snow	Ward
Bennett	Huntington			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the Emanuel congregation of the city of New-York, to hold, grant and convey real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Morgan	Snow
Bartlett	Conger	Jones	Munroe	Upham
Beach	Cooley	Kirby	Platt	Williams
Beekman	Davenport	McElwain	Smith	

19

FOR THE NEGATIVE.

Taber

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the commissioners of highways of the towns of Stuyvesant and Stockport, in the county of Columbia, to borrow money and build bridges at Stuyvesant Falls, in said county, and to provide for the payment of the expense thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Munroe	Upham
Bartlett	Conger	Jones	Platt	Vanderbilt
Beach	Cooley	Kirby	Smith	Ward
Beekman	Cornell	McElwain	Snow	Williams
Bennett	Davenport	Morgan	Taber	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Buffalo, passed April 20, 1832,' and the various acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Platt	Upham
Bartlett	Cooley	Kirby	Smith	Vanderbilt
Beach	Cornell	McElwain	Snow	Ward

Beekman	Davenport	Morgan	Taber	Williams	23
Bristol	Huntington	Munroe			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to confirm the official acts of Daniel A. Shuart, a justice of the peace in the town of New Windsor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Platt	Upham	
Bartlett	Cooley	Kirby	Smith	Vanderbilt	
Beach	Cornell	McElwain	Snow	Ward	
Beekman	Davenport	Morgan	Taber	Williams	23
Bennett	Huntington	Munroe			

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to constitute the village of Vernon, Oneida county, a separate road district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Platt	Upham	
Bartlett	Cooley	McElwain	Smith	Vanderbilt	
Beach	Davenport	Morgan	Snow	Ward	
Beekman	Huntington	Munroe	Taber	Williams	22
Bennett	Jones				

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Cornell, from the select committee, to which was referred the Assembly bill entitled "An act authorising the construction of a bridge across Black river, at the village of Carthage, in Jefferson co.," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to establish a board of education in the village of Fort Covington," with power to

report complete, so reported, and said bill was ordered to a third reading.

The Assembly bill entitled "An act making appropriation for the continuance and enlargement of the State asylum for idiots," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Platt	Upham
Bartlett	Conger	McElwain	Smith	Vanderbilt
Beach	Cornell	Morgan	Snow	Ward
Beekman	Huntington	Munroe	Taber	Williams
Bennett	Jones			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act authorising the construction of a bridge across Black river, at the village of Carthage, in Jefferson co.," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Munroe	Upham
Bartlett	Cornell	Kirby	Platt	Vanderbilt
Beekman	Davenport	McElwain	Snow	Ward
Bennett	Huntington	Morgan	Taber	Williams
Bristol				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for raising money on the town of Galen, Wayne co., to complete the three bridges across Clyde river, in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Huntington	Morgan	Upham
Bartlett	Bristol	Jones	Munroe	Vanderbilt
Beach	Conger	Kirby	Platt	Ward
Beekman	Davenport	McElwain	Smith	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to require the board of supervisors of Oswego co., to levy a tax upon the towns of Schroepel and Granby, for the repairs of the free bridge at Hinmansville, in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Huntington	Morgan	Upham
Beach	Cooley	Jones	Munroe	Vanderbilt
Beekman	Cornell	Kirby	Platt	Ward
Bennett	Davenport	McElwain	Smith	Williams
Bristol				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act to authorize the formation of the Niagara Falls House Company, passed March 24, 1848, and the act amendatory thereof, passed February 24, 1849," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Bristol	McElwain	Smith	Upham
Beach	Cooley	Morgan	Snow	Vanderbilt
Beekman	Davenport	Munroe	Taber	Ward
Bennett	Huntington			

17

FOR THE NEGATIVE.

Babcock	Cornell	Jones	Kirby	
---------	---------	-------	-------	--

4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to establish a free school in district number three, in the town of Cherry Valley," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Morgan	Snow
Bartlett	Conger	Jones	Munroe	Taber
Beach	Cornell	Kirby	Platt	Ward
Beekman	Davenport	McElwain	Smith	Williams
Bennett				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise repairs on a bridge over the State drain in the town of Lysander," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Platt	Upham
Beach	Davenport	Morgan	Snow	Ward
Beekman	Huntington	Munroe	Taber	Williams
Bristol	Kirby			

17

FOR THE NEGATIVE.

Bennett	Conger	Jones	Smith.	
---------	--------	-------	--------	--

4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to enable the Clyde and Rose Plank Road Company to abandon a part of their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Morgan	Snow
Bartlett	Conger	Jones	Munroe	Upham
Beach	Cornell	Kirby	Platt	Ward
Beekman	Davenport	McElwain	Smith	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act further to amend the charter of the city of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Munroe	Taber
Bartlett	Conger	Jones	Platt	Upham
Beach	Cosley	McElwain	Smith	Ward
Beekman	Davenport	Morgan	Snow	Williams
Bennett				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act authorising the Camillus and Marcellus plank road company to locate two half toll gates on their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Huntington	Munroe	Taber
Beekman	Cosley	Jones	Platt	Upham
Bennett	Cornell	McElwain	Smith	Vanderbilt
Bristol	Davenport	Morgan	Snow	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to establish a board of education in the village of Fort Covington," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Munroe	Taber
Bartlett	Conger	Kirby	Platt	Upham
Beach	Cosley	McElwain	Smith	Ward
Beekman	Davenport	Morgan	Snow	Williams
Bennett	Huntington			

22

Ordered, That the Clerk return said bill so the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the Cazenovia and Chittenango plank road company to convert their road into a turnpike," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Platt	Upham
Bartlett	Cornell	McElwain	Smith	Vanderbilt
Beach	Davenport	Morgan	Snow	Ward
Bennett	Huntington	Munroe	Taber	Williams
Bristol				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend the charter of the village of Wolcott, Wayne county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Platt	Upham
Bartlett	Conger	Kirby	Smith	Vanderbilt
Beach	Cornell	McElwain	Snow	Ward
Beckman	Davenport	Morgan	Taber	Williams
Bennett	Huntington	Munroe		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to repeal 'An act incorporating the Seneca bridge company,' passed May 5th, 1834," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Smith	Vanderbilt
Beach	Cooley	McElwain	Snow	Ward
Beckman	Davenport	Munroe	Upham	Williams
Bennett	Huntington	Platt		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to discontinue, in part, a certain highway in the town of Groton, Tompkins county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Munroe	Upham
Bartlett	Conger	Jones	Platt	Vanderbilt
Beach	Cooley	Kirby	Smith	Ward
Beekman	Cornell	McElwain	Snow	Williams
Bristol	Davenport	Morgan	Taber	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Beach moved to lay the present order of business on the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was determined in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	McElwain	Snow	Vanderbilt
Beekman	Huntington	Munroe	Taber	Ward
Bristol	Kirby	Platt	Upham	Williams

15

FOR THE NEGATIVE.

Babcock	Conger	Davenport	Jones	Morgan
Bartlett	Cornell			

7

The President announced the order of motions and resolutions.

Mr. Cornell moved to lay the same on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Beach offered for the consideration of the Senate, a resolution in the words following, to wit :

Resolved, That the third reading of bills be made the special order for Monday, at 11 o'clock, A. M.

Mr. Cornell moved to amend by adding the words "immediately after the final disposition of the Assembly bill providing for the expenses of government and funds for carrying on the public works, and also the bill introduced by the Senator from the second district relative to the expenses of government."

Debate was had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Davenport	Jones	Morgan
Bartlett	Cornell			

7

FOR THE NEGATIVE.

Beach	Cooley	McElwain	Snow	Vanderbilt
Beekman	Huntington	Munroe	Taber	Ward
Bristol	Kirby	Platt	Upham	Williams
Clark				

16

The President announced the question to be on Mr. Beach's resolution.

Mr. Clark moved to amend so that said special order be immediately after the reports of committees.

Mr. Beach accepted the said amendment.

The President put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

On motion of Mr. Beekman

Resolved, That the bill from the Assembly, entitled "An act relative to the purchase, possession and laying out certain lands in the nineteenth ward of the city of New-York, for a public park," be referred to a select committee to report complete.

On motion of Mr. Williams

Resolved, That Senate bill No. 254, (on general orders) providing that the Comptroller may refund one hundred and sixty-five dollars to Robert N. McFarren, late loan commissioner of the county of Yates, be taken from the general orders and referred to a select committee with power to report the same complete.

The President appointed as such committee Messrs. Williams, Jones and Cornell.

By unanimous consent,

Mr. Morgan asked for and obtained leave to introduce a bill entitled "An act in relation to jurors in the city of New-York," which was read the first time and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A resolution was offered for the consideration of the Senate, in the words following, to wit:

Resolved, That Senate bill No. 181, entitled "An act for the relief of Tallman J. McMaster and Jacob T. Merritt," be ordered engrossed for a third reading.

The hour of 10 o'clock P. M. having arrived, the Senate then adjourned until 10 o'clock A. M. Monday.

MONDAY APRIL 11, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Rabbi Wise.

The journal of Saturday was read and approved.

Mr. McElwain presented the remonstrance of citizens and tax payers of Almond, Allegany co., against railroads tolls, which was committed to the committee of the whole.

Mr. Davenport presented the remonstrance of citizens of Jefferson co., against the imposition of tolls on railroads, which was committed to the committee of the whole.

Mr. Babcock presented the remonstrance of citizens of Buffalo against the passage of a law imposing tolls on railroads, which was committed to the committee of the whole.

Mr. Taber presented the petition of citizens of Aurora in relation to the Cayuga academy, which was referred to the committee on literature.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to repeal an act repealing an act in relation to road district number two in Persia, Cattaraugus county," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act to incorporate the sixpenny savings bank of the city of New-York," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act relating to incorporated banks, banking associations and individual bankers located and doing business in the city of New-York," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to incorporate the Westchester county savings bank," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Otis, from the committee on trade and manufactures, to which was referred the Assembly bill entitled "An act to amend an act to authorise the formation of corporations for manufacturing, mining, mechanical and chemical purposes, passed February 17, 1848," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to improve the Oswegatchie and Grass rivers in St. Lawrence county for floating timber and sawed lumber," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the improvement of the navigation of the Big Chazy river," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to provide for the care and instruction of idle and truant children," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act authorising the Methodist Episcopal church in Junius, Seneca county, to sell their parsonage," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Williams, from the committee claims, to which was referred the Assembly entitled "An act to provide for the appraisal and payment of canal damages sustained by Alexis Ward and Thomas Wilson," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Jones from the committee on claims, to which was referred the Assembly bill entitled "An act for authorising the Canal Board to hear and determine the claim of Edward Murray," reported in favor of the passage of the same without amendment,

By unanimous consent,

Ordered, That said bill be referred to a select committee, to report complete.

The President appointed as such committee Messrs. Van Schoonhoven, Jones and Taber.

On motion of Mr. Cooley, and by unanimous consent,

Resolved, That the bill entitled "An act amendatory of the act entitled 'An act authorising the business of banking,' passed April 18, 1838," and the acts amending the same," be referred to a select committee with power to report the same complete.

The President appointed as such committee Messrs. Cooley, Beach and Morgan.

By unanimous consent,

Mr. Taber from the committee on the judiciary to which was referred the petition for that purpose, reported, asked and obtained leave to introduce a bill entitled "An act to amend the law of libel," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to plank roads," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Huntington, from the committee on the erection and division of towns and counties, to which was referred a resolution of a meeting in the town of Alden, Erie county, against any division of said county, moved that said committee be discharged from the further consideration of the same.

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

Mr. Huntington, from the committee on the erection and division of towns and counties, to which were referred petitions of citizens of country towns in Albany county, for division of said county, moved that said committee be discharged from further consideration thereof.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Huntington, from the committee on grievances, to which was referred the Assembly bill entitled "An act authorising the comptroller to ascertain whether the persons employed by the State to survey certain lots sold to Peter Smith, made great mistakes in measuring or computing the same, and if so to correct the same," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Upham, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorise the construction and maintenance of bridges over the Erie canal in the city of Buffalo," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Upham, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorise the construction and maintenance of bridges over the Erie canal in the city of Syracuse," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Beekman, from the committee on literature, to which was referred the Assembly bill entitled "An act relative to the incorporation of colleges and academies," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Beekman offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, (If the Assembly concur,) That the Regents of the University be authorised to loan to the association for the exhibition of the industry of all nations, for the purpose of their intended exhibition in the city of New-York, such articles in the State Cabinet of Natural History, and the collection connected therewith, as the said association may apply for, on such terms and conditions as the said regents may deem proper, which was laid on the table.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of William E. Hermance, and the heirs of John Vanderpool," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to fix a permanent line of piers for the city of Brooklyn," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for assessing the expense of establishing grade lines in the seventh, eighth and tenth wards of the city of Brooklyn,' passed April 16, 1852," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to alter the commissioners' map of the city of Buffalo," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to authorise a tax for police expenses in the city of Buffalo," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act in relation to the proceedings for opening certain streets in Brooklyn," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Elmira, in the county of Chemung, passed April 6, 1850," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the several acts relating to the village of Genesee," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act further to amend an act entitled 'An act to amend the several acts incorporating the village of Elmira, in the county of Chemung,' passed April 6, 1850," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled

"An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the act to incorporate the Rochester water works company, passed April 16, 1852," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. McMurray, from the select committee to which was referred the Assembly bill entitled "An act to enable Mary E. Noyes to change her name, and declaring her to be the heir at law of Ogden Dorrington," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Babcock, from the select committee, to which was referred the Assembly bill entitled "An act to revise the charter of the city of Buffalo, and to enlarge the boundaries," with power to report complete, so reported, and said bill ordered to a third reading.

Mr. Van Schoonhoven called for the consideration of the report of the committee on the internal affairs of towns and counties, on the bill entitled "An act to amend an act entitled 'An act to equalize taxation, passed May 13, 1846,'" which was heretofore laid on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on agreeing to the report of said committee.

Debate was had thereon, when

Mr. Bartlett moved to strike out the amendment made by said committee to said bill as follows, "nor shall it apply to any rents which for two years next preceding shall not have been paid to be added to the second section.

Mr. Ward called for the ayes and noes.

The President put the question whether the Senate would agree to the motion of Mr. Bartlett and it was decided in the affirmative as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Jones	Otis	Taber
Bennett	Cornell	Kirby	Smith	Upham
Bristol	Davenport	McElwain	Snow	VanSchoonhoven

15

FOR THE NEGATIVE.

Babcock	Conger	Munroe	Vanderbilt	Ward
Beckman	Cooley			

7

Mr. Ward moved to lay said report and bill on the table.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Vanderbilt	Ward	
Beekman	Cooley	Upham			8

FOR THE NEGATIVE.

Bartlett	Clark	Jones	Platt	Taber	
Bennett	Cornell	McElwain	Smith	VanSchoonhoven	
Bristol	Davenport	Otis	Snow		14

Mr. Cooley offered for the consideration of the Senate, a resolution in the words following, to wit :

Resolved, This bill be referred to a select committee with instructions to amend the same, so that it shall apply only to rents actually collected or collectable.

Debate was had thereon, when

Mr. Babcock offered the following resolutions as a substitute to the resolution of Mr. Cooley.

Resolved, That the said bill be referred to a select committee, with instructions to amend the same, and report as speedily as possible, so as to make the law of 1846, to which the said bill relates, apply to school and highway taxes as well as to county and State taxes, and shall restrict the said law to leases upon which the rents in full have been paid or relinquished within two years from the time of such assessment.

At a quarter to two o'clock, p.m., the Senate took a recess to four o'clock p.m.

• • FOUR O'CLOCK, P. M.

The Senate again met.

The President announced the question to be on the amendment or substitute for Mr. Cooley's resolution, offered by Mr. Babcock just before recess, and accepted by Mr. Cooley.

Debate was had thereon, when

Mr. Taber called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Ward	
Beekman	Cooley	Newcomb			8

FOR THE NEGATIVE.

Bartlett	Cornell	McElwain	Snow	VanSchoonhoven	
Bennett	Davenport	Otis	Taber	Williams	
Bristol	Huntington	Rogers	Upham	Wright	
Clark	Jones	Smith			13

Mr. Conger offered the following amendment to be added to the second section of said bill.

Provided, That it shall not apply to any rents other than those reserved on leases in fee, and in such cases only when rents have been fully paid for two years preceding such assessment.

Mr. Taber called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Cooley	Newcomb	Ward
Beekman				

4

FOR THE NEGATIVE.

Bartlett	Clark	McElwain	Smith	Williams
Bennett	Davenport	Otis	Taber	Wright
Bristol	Huntington	Rogers	Van Schoonhoven	

14

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to authorize the board of Supervisors of the county of Kings, to borrow money to erect a building for the accommodation of the courts and the public officers of the said county, and to purchase land for a site for such building."

"An act amending chapter 478, laws of 1851, entitled 'An act to regulate the planting and taking of oysters in the Harlem river.'"

"An act to authorize the Attica and Allegany valley railroad company to change the line of its road."

"An act to provide for the enrolment of the militia, and the organization of the uniform corps, and the discipline of the militia forces of the State of New-York."

Ordered, That said bills do have their third reading.

Mr. Cornell, from the committee on grievances, to which was referred the Assembly bill entitled "An act to regulate the hours of labor on the public works, and in the manufacturing establishments of the State, and at mechanical arts and trades," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorise the Manlius Plank Road Company, to abandon a part of their road," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Conger, from the committee on State Prisons, to which was referred the Assembly bill entitled "An act in relation to the salaries of the keepers and guards of the several state prisons,"

reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Conger, from the committee on finance, to which was referred the Assembly bill entitled "An act to supply a deficiency in the appropriations for the support of the Western House of Refuge for the fiscal year ending September 30, 1853," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Taber, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to jurors in the city of New-York," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Kirby, from the committee on banks and insurance companies, to which was referred the bill entitled "An act amendatory of the act entitled 'An act to authorize the business of banking,' passed April 18, 1838, and the act amending the same," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Clark, from the select committee, to which was referred the Assembly bill entitled "An act to authorise the city of Utica to take stock in the Black river and Utica railroad, and to sell the bonds to provide for the payment thereof," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Clark, from the select committee, to which was referred the Assembly bill entitled "An act to authorise the President and trustees of the village of Rome to subscribe and pay for stock in a corporation organized or to be organized for the construction of a railroad from the river St. Lawrence through the county of Lewis to the village of Rome," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Clark, from the select committee, to which was referred the Assembly bill entitled "An act to authorise the town of North Dansville to borrow money to aid in the construction of a railroad through said town," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Clark, from the select committee, to which was referred the Assembly bill entitled "An act to authorise the city of Oswego to take stock in railroads, and to sell its bonds to provide for the payment thereof," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Davenport, from the select committee, to which was referred the Assembly bill entitled "An act to annex part of the town of Newfield, Tompkins county, to the town of Catherine, Chemung county," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to enable the children

of Cecilia de Nottbeck, to take and hold real estate," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Conger, from the committee on finance, to which was referred the Assembly bill entitled "An act to enable the society for the reformation of juvenile delinquents in the city of New-York, to complete their new buildings, and to appropriate money therefor," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Williams, from the select committee, to which was referred the bill entitled "An act to provide for the relief of Robert N. McFarreu," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Otis, from the select committee, to which was referred the Assembly bill entitled "An act to repeal sections 9, 11, 13, 14, and part of section 10, and section 15, of title 4, part 1, chapter 13 of the Revised Statutes, entitled 'regulations concerning the assessments of taxes on incorporated companies, and the commutation thereof,'" with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Van Schoonhoven, from the select committee, to which was referred the Assembly bill entitled "An act authorising the Canal Board to hear and determine the claim of Edmund Murray," with power to report complete, so reported, and said bill was ordered to a third reading.

The bill entitled "An act to enable the supervisors of the city and county of New-York, to raise money by tax," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Newcomb	Taber
Bartlett	Cooley	McElwain	Otis	Upham
Beckman	Davenport	McMurray	Platt	Ward
Bennett	Huntington	Morgan	Rogers	Williams
Bristol	Jones	Munroe	Snow	

24

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

Mr. Morgan, from the select committee of eight, to which was referred the general orders for selection of suitable bills to be referred to select committees, with power to report the same complete, reported the following as such bills, which report was agreed to, and said bills referred as follows:

Assembly bill, "An act to incorporate the trustees of the fund for aged and infirm clergymen of the protestant episcopal church

in the diocese of New-York," to Messrs. Beekman, Conger, and Beach.

Assembly bill, "An act to amend 'An act to amend the charter of the village of Union Springs,' passed April 12, 1852," to Messrs. Beach, Williams, and Otis.

"An act to authorise religious corporations to change their names," to Messrs. Beekman, Taber, and Newcomb.

"An act relative to the common lands in the town of North Hemstead, county of Queens," to Messrs. Cooley, Jones, and Snow.

"An act to authorise the commissioners of highways, of the town of Wilna, to lay out a road less than three rods wide," to Messrs. Davenport, Snow, and Munroe.

"An act to amend 'An act to provide for taking the acknowledgment of deeds and other written instruments by persons residing out of the State of New-York,' passed April 7, 1848," to Messrs. Babcock, Upham, and Jones.

"An act to enlarge the powers of the trustees of the village of Holley respecting highways," to Messrs. Upham, McElwain, and Kirby.

"An act to release the interest of the people of the State in certain real estate, of which James Bremon died, seized to E. H. Bremon his widow," to Messrs. McMurtry, Otis, and Platt.

"An act to incorporate the society of natural history," to Messrs. Conger, Jones, and Morgan.

"An act to incorporate the Brockport Savings bank," to Messrs. Kirby, Upham, and Clark.

"An act to confirm the title of a certain lot of land in George Henry, Jr.," to Messrs. Babcock, Bartlett, and Bennett.

"An act to amend 'An act to authorise the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," to Messrs. Cornell, Munroe, and Bartlett.

"An act to amend the Revised Statutes, relating to the compensation of the officers, and other expenses of Senate and Assembly," to Messrs. Conger, Morgan, and McMurray.

Mr. McElwain moved to strike out of said report the bill entitled "An act relative to the reports and contracts of railroad corporations."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President put the question whether the Senate would agree to said report as amended, by striking out as above, which was decided in the affirmative.

Mr. Bennett called up for consideration the concurrent resolution from the Assembly in relation to the adjournment of the Legislature.

Mr. Jones moved to amend by striking out "Wednesday" and inserting "Thursday" as the day for adjournment.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Otis	Williams	5
----------	--------	-------	------	----------	---

FOR THE NEGATIVE.

Babcock	Clark	Morgan	Smith	Vanderbilt	
Beach	Cooley	Munroe	Snow	Van Schoonhoven	
Beekman	Davenport	Newcomb	Taber	Ward	
Bennett	Kirby	Platt	Upham	Wright	
Bristol	McElwain	Rogers			23

The President then put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Taber moved to take from the table the report of the select committee on the bill entitled "An act to authorise the incorporation of Roman Catholic congregations or societies."

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and the vote was as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Otis	Van Schoonhoven	
Bartlett	Cornell	Jones	Rogers	Wright	
Clark	Davenport	McMurray	Taber		14

FOR THE NEGATIVE.

Beach	Bristol	McElwain	Smith	Vanderbilt	
Beekman	Cooley	Newcomb	Snow	Ward	
Bennett	Kirby	Platt	Upham		14

There being a tie the President gave the casting vote in the affirmative.

The President announced the question to be on agreeing to the report of the select committee on said bill.

Debate was had thereon, when

Mr. Babcock moved to amend said report by striking out the whole of said bill and substituting the following :

AN ACT

To authorise the incorporation of Roman Catholic congregations or societies.

The People of the State of New-York represented in Senate and Assembly, do enact as follows:

§ 1. Any three or more persons, being citizens of this State, who, according to the usage and discipline of the Roman Catholic Church, may be designated to represent any Roman Catholic congregation or society in holding and managing the temporalities thereof, may become incorporated as trustees of such con-

gregation or society in the mode prescribed in the second section of the act entitled "An act to provide for the incorporation of religious societies," passed April 5, 1813, as a corporation, aggregate, and as such shall possess the same powers and rights, and be subject to the same restrictions, liabilities and conditions, in all respects, as the trustees of any church or congregation incorporated under said section: Provided that no person shall be a trustee of more than one such church, society or congregation, at the same time.

§ 2. This act shall take effect immediately.

Debate was had thereon, when

Mr. Platt moved to lay the whole subject on the table.

Mr. Taber called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beekman	McElwain	Otis	Vanderbilt	Williams	
Clark	Newcomb	Platt	Ward		9

FOR THE NEGATIVE.

Babcock	Conger	McMurray	Taber	Wright	
Bartlett	Jones	Rogers	VanSchoonhoven		9

On motion of Mr. Cornell, the Senate took a recess until 7½ o'clock, P. M.

HALF-PAST SEVEN O'CLOCK.

The Senate again met.

The President announced the question to be on the amendment offered by Mr. Babcock, as a substitute to the bill reported by the select committee.

Mr. Cooley moved to lay the whole subject on the table, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Cooley	Jones	Kirby	Platt	5
---------	--------	-------	-------	-------	---

FOR THE NEGATIVE.

Babcock	Bristol	Huntington	Snow	Williams	
Bartlett	Clark	McMurray	Taber	Wright	
Bennett	Cornell	Otis	VanSchoonhoven		14

The President then announced the question to be on agreeing to the substitute offered by Mr. Babcock.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said substitute, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Beekman	Jones	McElwain	Newcomb	
Bartlett	Clark	Kirby			8

FOR THE NEGATIVE.

Bennett	Cooley	McMurray	Snow	VanSchoonhoven	
Bristol	Huntington	Otis	Taber	Wright	10

The President then announced the question to be on agreeing in the report of the committee.

Debate was further had thereon, when

Mr. Beekman called for the ayes and noes.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Cooley	McMurray	Snow	VanSchoonhoven	
Bennett	Davenport	Otis	Taber	Wright	
Bristol	Huntington	Rogers			13

FOR THE NEGATIVE.

Babcock	Beekman	Clark	Jones	Newcomb	
Bartlett					6

Ordered, That said bill be engrossed for a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to aid in the erection of a monument commemorative of American independence," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act making appropriations for the several State Prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

A bill was received from the Assembly for concurrence, entitled "An act to improve the navigation of the Niagara river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act to incorporate the United States Trust Company of New-York."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Davenport	McMurray	Platt	
Bartlett	Bristol	Huntington	Morgan	Rogers	
Beach	Clark	Kirby	Munroe	Snow	
Beekman	Cooley	McElwain	Newcomb	Wright	20

FOR THE NEGATIVE.

Jones	Otis	2
-------	------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

The following concurrent resolutions were received from the Assembly:

Resolved (If the Senate concur), That a committee be appointed consisting of one member of the Senate and two members of the Assembly, to examine the accounts of the treasurer, and examine into the condition of the banking department, pursuant to title four, part first, chapter eight of the Revised Statutes.

Resolved, That said committee be appointed on Tuesday next, April 12, 1853.

Ordered, That said resolutions be laid on the table.

The President presented a communication from the Secretary of State, containing a report of statistics of idiotcy in this State, which was referred to the committee on public printing.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act incorporating the Sackett's Harbor and Saratoga railroad company," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

The Assembly bill entitled "An act authorising the corporation of the city of New-York, to provide court rooms for the first district court in said city," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McMurray	Otis	Snow	
Bartlett	Huntington	Morgan	Platt	Taber	
Beekman	Jones	Munroe	Rogers	Williams	
Bristol	Kirby	Newcomb	Smith	Wright	
Clark	McElwain				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the Hammondsport and Bath Plank Road Company to abandon a part of their road without completing the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Smith
Bartlett	Cooley	Kirby	Newcomb	Snow
Beckman	Cornell	McElwain	Otis	Taber
Bennett	Davenport	McMurray	Platt	Wright
Bristol	Huntington	Morgan		

28

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the relief of assessors for enrolling the militia in the year 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Otis	Snow
Bartlett	Davenport	McMurray	Platt	Taber
Beckman	Huntington	Morgan	Rogers	Williams
Clark	Jones	Munroe	Smith	Wright
Cooley	Kirby	Newcomb		

28

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act requiring the police justices in the city of New-York, to file records of all convictions of vagrancy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided, in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Jones	Morgan	Rogers
Beach	Cornell	Kirby	Munroe	Smith
Beckman	Davenport	McElwain	Newcomb	Snow
Clark	Huntington	McMurray	Platt	Williams

20

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to incorporate the Peoples' College," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McMurray	Otis	Taber
Beach	Davenport	Morgan	Platt	Upham
Beckman	Kirby	Munroe	Rogers	Williams
Bennett	McElwain	Newcomb	Snow	Wright
Bristol				

21

FOR THE NEGATIVE.

VanSchoonhoven

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for the purchase and keeping in repair of burying grounds in the town of Osceola, in the county of Lewis," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Newcomb	Snow
Beach	Cooley	McElwain	Otis	Taber
Beckman	Davenport	McMurray	Platt	Upham
Bennett	Huntington	Morgan	Rogers	Williams
Bristol	Jones	Munroe		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to provide for the enrolment of the militia, and the organization of uniform corps, and the discipline of the military forces of the State of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	McMurray	Platt	Upham
Beckman	Huntington	Munroe	Rogers	Vanderbilt
Bennett	Kirby	Newcomb	Smith	Ward
Bristol	McElwain	Otis	Snow	

19

FOR THE NEGATIVE.

Conger	Jones	Wright
--------	-------	--------

8

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in relation to laying out private roads and discontinuing public highways," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	McElwain	Newcomb	Smith
Beach	Cornell	McMurray	Otis	Snow
Beekman	Davenport	Morgan	Platt	Upham
Bennett	Huntington	Munroe	Rogers	Ward
Bristol	Kirby			

22

FOR THE NEGATIVE.

Jones Wright

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for the education of the children of the St. Regis Indians, in the county of Franklin," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Otis	Taber
Bartlett	Cooley	McMurray	Platt	Upham
Beach	Cornell	Morgan	Rogers	Ward
Beekman	Davenport	Munroe	Smith	Williams
Bennett	Huntington	Newcomb	Snow	Wright
Bristol	Jones			

27

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to encourage and promote medical inquiry and investigation, and for the better protection of burying grounds and cemeteries," having been read a third time.

Mr. Otis moved to lay said bill on the table.

Mr. Beekman called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bennett	Huntington	Kirby	Otis	Vanderbilt	
Bristol	Jones	McElwain	Upham		9

FOR THE NEGATIVE.

Bartlett	Cornell	Munroe	Smith	VanSchoonhoven	
Beekman	Davenport	Newcomb	Snow	Ward	
Cooley	McMurray	Platt	Taber	Wright	15

Mr. Bennett moved to recommit said bill, with instructions to strike out the enacting clause.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Newcomb	Smith	VanSchoonhoven	
Bartlett	Cornell	Platt	Snow	Ward	
Beekman	Davenport	Rogers	Taber	Wright	
Conger	McMurray				17

FOR THE NEGATIVE.

Beach	Clark	Kirby	Munroe	Upham	
Bennett	Huntington	McElwain	Otis	Williams	
Bristol	Jones				12

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for the election of the police justice of the city of Rochester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Upham	
Bartlett	Cooley	Kirby	Platt	Ward	
Beach	Davenport	McElwain	Rogers	Williams	
Beekman	Huntington	McMurray	Snow	Wright	
Bristol					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorise the formation of railroad corporations, and

to regulate the same,' passed April 2, 1850," having been read a third time.

Mr. Cooley moved that the same be referred to a select committee of senators of the first and second districts, with power to report the same complete, forthwith.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to complete the improvement of the Owasco outlet," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Jones	Platt	Vanderbilt
Beach	Conger	Kirby	Rogers	Ward
Beekman	Cooley	Newcomb	Snow	Williams
Bennett	Davenport	Otis	Upham	Wright
Bristol	Huntington			

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act relative to the northern jury district, in the county of Washington," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Cooley	McElwain	Rogers	Upham
Beekman	Davenport	Newcomb	Smith	Ward
Bristol	Huntington	Otis	Snow	Williams
Clark	Jones	Platt	Taber	Wright
Conger	Kirby			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Babcock,

Resolved, That Senate bills and Assembly bills amended by the Senate be read before Assembly bills.

The bill entitled "An act to authorise the executors of Edmund K. Bussing, deceased, to become the purchasers of his real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Kirby	Otis	Smith	Ward
Beekman	McElwain	Platt	Snow	Williams
Clark	Morgan	Rogers	Vanderbilt	Wright
Huntington	Newcomb			

17

FOR THE NEGATIVE.

Conger	Jones			
--------	-------	--	--	--

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Conger moved to reconsider the vote on the final passage of the bill entitled "An act to encourage and promote medical inquiry and investigation, and for the protection of burying grounds and cemeteries," and that said motion be laid upon the table.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and the vote was as follows :

FOR THE AFFIRMATIVE.

Bennett	Conger	Jones	McElwain	Otis
Bristol	Cornell	Kirby	Newcomb	Williams
Clark	Huntington			

12

FOR THE AFFIRMATIVE.

Babcock	Cooley	Platt	Taber	Ward
Bartlett	McMurray	Snow	Vanderbilt	Wright
Beekman	Morgan			

12

There being a tie, the President gave the casting vote in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act declaring the river Saranac a public highway,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Jones	Morgan	Snow
Beekman	Cornell	Kirby	Newcomb	Vanderbilt
Clark	Davenport	McElwain	Platt	Wright
Conger	Huntington			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to provide for the relief of Robert A. M. Farren," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Jones	Morgan	Platt	
Beach	Cornell	Kirby	Munroe	Rogers	
Beekman	Davenport	McElwain	Newcomb	Snow	
Bennett	Huntington	McMurray	Otis	Williams	20

FOR THE NEGATIVE.

Bartlett	Conger	Vanderbilt	Wright		4
----------	--------	------------	--------	--	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the law of libel," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Munroe	Snow	
Beach	Davenport	McElwain	Newcomb	Taber	
Beekman	Huntington	McMurray	Otis	Vanderbilt	
Bristol	Jones	Morgan	Platt	Williams	
Clark					21

FOR THE NEGATIVE.

Cornell					1
---------	--	--	--	--	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the city of Buffalo to loan its bonds to the Buffalo and Pittsburgh railroad company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Otis	Smith	
Beekman	Cooley	McElwain	Platt	Snow	
Bennett	Davenport	Newcomb	Rogers	Upham	
Bristol	Huntington				17

FOR THE NEGATIVE.

Conger	McMurray	Morgan	Taber	Vanderbilt	5
--------	----------	--------	-------	------------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Cooley moved that the Senate do now adjourn, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Bristol	Cornell	Jones	Otis	
Beekman	Cooley	Davenport	Newcomb	Wright	
Bennett					11

FOR THE NEGATIVE.

Huntington	McMurray	Munroe	Snow	Vanderbilt	
McElwain	Morgan	Platt	Taber	Williams	10

The Senate adjourned to ten o'clock a. m. tomorrow.

TUESDAY, APRIL 12, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. M. White.

The journal of yesterday was read and approved.

Mr. Babcock presented the remonstrances of merchants and others of Buffalo against imposing tolls on railroads, which was committed to the committee of the whole.

Mr. Babcock presented resolutions from the board of trade of the city of Buffalo for amendment of the constitution, and for the completion of the canals, which were committed to the committee of the whole.

Mr. Smith presented two remonstrances of citizen of Franklin county against tolls on railroads, which were committed to the committee of the whole.

Mr. Beekman presented a memorial of the New-York Association for improving the condition of the poor, and for the passage of a bill for care of street children, which was committed to the committee of the whole.

Mr. Bristol presented a remonstrance of the citizens of East Randolph and vicinity, against tolls on railroads, which was committed to the committee of the whole.

Mr. Conger presented a memorial of the citizens of Rockland county against tolls on railroads, which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorise the county treasurer of St. Lawrence county, to retain a portion of the State tax of 1852 of said county for county expenses," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled

"An act to amend the act incorporating the village of Dansville," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Williams, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Frederick Gosskoff," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Rogers, from the committee on State prisons, to which was referred the Assembly bill entitled "An act making appropriations for the several State prisons," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

By unanimous consent,

Mr. Snow, asked for and obtained leave to bring in a bill entitled "An act for the appraisement of canal damages of the commissioners of highways of the town of Canajoharie," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

On motion of Upham, and by unanimous consent,

Ordered, That the bill entitled "An act to provide for the appraisal and payment of canal damages sustained by Alexis Ward and Alexis Ward and Thomas Wilson," be read a third time.

Mr. Bartlett, from the committee on railroads, to which was referred the Assembly bill entitled "An act to provide for the greater safety in the running of railroads," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

On motion of Mr. Bennett, and by unanimous consent,

The bill entitled "An act for the relief of Harvey Hall," was ordered to a third reading.

Mr. Davenport, from the select committee, to which was referred the Assembly bill entitled "An act to authorize the commissioners of highways of the town of Wilna to lay out a road less than three rods wide," with power to report complete, so reported, and the said bill was ordered to a third reading.

Mr. Bristol, from the select committee, to which was referred the Assembly bill entitled "An act to change the title of the Owego Congregational society," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Conger, from the select committee, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Williamsburgh waterworks company, passed 1852,' " three-fifths being present, with power to report complete, so reported.

Mr. Vanderbilt moved to lay said report on the table.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion and it was decided in the affirmative.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills:

"An act to authorise the mayor, aldermen and commonalty of the city of New-York to raise \$75,000 by loan, and to fund the same for the erection of the south wing of the work house at Blackwell's Island."

"An act to enable Carrington Macfarlane and James Duncan Macfarlane, infant aliens, to take and hold real estate."

"An act to confirm certain sales and conveyances of real estate in the county of Kings, made by Thomas G. Tallmadge, as loan commissioner."

"An act to enable Thomas Cypriano de Mosquera and Pedro Alcantara Herrau to hold real estate."

"An act relating to the Union Cemetery, in the town of Bushwick, in the county of Kings."

"An act to authorise the consolidation of the Syracuse and Binghamton, and the Owego and Syracuse railroad companies."

"An act to incorporate the Albany and New Baltimore ship canal and basin company."

"An act to change the name of the Palmyra bank."

"An act to amend the act to establish a turnpike corporation for improving and making a road from the village of Newburgh, on the Hudson river, to Cohecton, on the Delaware river."

"An act to facilitate the dissolution of manufacturing corporations in the county of Cayuga and to secure the payment of their debts without preference."

"An act to amend the act entitled 'An act to establish the Dutchess turnpike company, so as to authorise such company to Macadamise all or some portion or portions thereof, and for other purposes.'"

"An act to provide for the efficient draining of the Cayuga marshes and swamp lands."

Ordered, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Angelica and Belvidere plank road company to erect gates two miles apart on their road," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on roads and bridges.

"An act for the relief of James Cunningham," which was read the

first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on claims, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the incorporation of fire and inland navigation insurance companies," which was read the first time, and by unanimous consent was also read a second time and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act to establish free schools in district number four, in the town of East Chester, West Chester county," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on literature, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the election of Lester K. Hill and Horace Bartlett, as commissioners of highways for the town of Russell," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to make the village of Summit Four Corners, and of Charlotteville, in the town of Summit, Schoharie county, each a separate road district," which was read a first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate school district number one, of the town of West Farms, Westchester co.," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the city of Williamsburgh,' passed April 7, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act reappropriating certain moneys appropriated September 27, 1847, for the construction of basins and slips in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act making appropriations for the support of the government for the fiscal year commencing October first, one thousand eight hundred and fifty-three," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be committed to the committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the construction and maintenance of a bridge over the Erie canal at Ferry street, in the village of West Troy," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee, to report complete.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act ceding jurisdiction to the United States over lands to be occupied as sites of light houses and keepers' dwellings within this State," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Beach, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorise the business of banking,' passed April 18, 1838," reported favorably from a majority of said committee, which was committed to the committee of the whole.

Mr. Vanderbilt, from the select committee, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorise the formation of railroad corporations and to regulate the same,' passed April 2, 1850," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Cooley, from the select committee, to which was referred the Assembly bill entitled "An act relative to the common lands in the town of Hempstead, county of Queens," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Upham, from the committee on canals, to which was referred the Assembly bill entitled "An act authorising the Canal Commissioners to build a bridge across the Erie canal in the village of Tonawanda," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to improve the navigation of the Niagara river above the falls," re-

ported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Babcock, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for taking the acknowledgment of deeds and other written instruments by persons residing out of the State of New-York,' passed April 7, 1848," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to consolidate and amend an act entitled 'An act to incorporate the village of Clinton, passed April 19, 1843,' and the various acts amendatory thereof,'" reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to aid in the erection of a monument commemorative of the Declaration of American Independence," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. McMurray, from the select committee, to which was referred the Assembly bill entitled "An act to release the interest of the people of this State, in certain real estate of which James Bremon died seised to Eliza R. Bremon, his widow," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the better security of mechanics and others erecting buildings, performing work or furnishing materials therefor, in the county of Kings," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Upham, from the select committee, to which was referred the Assembly bill entitled "An act to enlarge the powers of the trustees of the village of Holley respecting highways," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Beekman, from the select committee, to which was referred the Assembly bill entitled "An act to incorporate the trustees of the fund for aged and infirm clergymen of the Protestant Episcopal church in the diocese of New-York," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Kirby, from the select committee, to which was referred

the bill entitled "An act to incorporate the Brockport savings bank," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act authorising the sale of the town house lot in the village of Seneca Falls, Seneca county, and for other purposes," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Beekman, from the select committee, to which was referred the Assembly bill entitled "An act to authorise religious corporations to change their names," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Conger, from the select committee, to which was referred the bill entitled "An act to incorporate the society of Natural History," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Beach, from the select committee, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Union Springs,' passed April 12, 1852," with power to report complete, so reported, and said bill was ordered to a third reading.

On motion of Mr. Vanderbilt, and by unanimous consent,

Resolved, That the time specified in the resolution of the Senate of March 28, 1853, for the committee thereby directed to be appointed to investigate the affairs of Union college, to make up and sign their report, and deposit the same with the Attorney General, be extended to the first day of September next.

On motion of Mr. Beach, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the bill relative to the Montezuma bridge and turnpike company, being Assembly bill 354, and it be engrossed for a third reading.

By unanimous consent,

Mr. Morgan asked for and obtained leave to introduce a bill entitled "An act regulating the compensation and duties of the counsel and attorney of the corporation of the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. McMurray, asked for and obtained leave to introduce a bill entitled "An act to facilitate the acquisition of lands for a new reservoir in the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

The President presented resolutions of the chamber of com-

merce of the city of New-York, against imposing tolls on rail-roads, which was committed to the committee of the whole.

By unanimous consent, *

Mr. Beekman called up the concurrent resolution offered by him yesterday, authorising Regents of the University to loan articles from the State cabinet of Natural History, to the association for the exhibition of the industry of all nations in the city of New York.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The concurrent resolutions from the Assembly for an amendment of the Constitution in relation to bribery at elections, &c., was read a third time.

The President put the question whether the Senate would agree to the said resolutions, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Rogers	Upham
Bartlett	Cooley	McElwain	Smith	Vanderbilt
Beekman	Cornell	Morgan	Snow	Ward
Bennett	Jones	Otis	Taber	Williams
Bristol				

21

FOR THE NEGATIVE.

Huntington	McMurray	Platt
------------	----------	-------

3

Ordered, That the Clerk return said resolutions to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to confirm the title of Cornelius Vanderbilt to certain land under water in the county of Richmond, and to make certain letters patent valid," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Otis	Upham
Beach	Davenport	Morgan	Platt	Vanderbilt
Beekman	Huntington	Munroe	Rogers	Ward
Bristol	Jones	Newcomb	Smith	Williams
Clark	Kirby			

22

FOR THE NEGATIVE.

Babcock

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to revise the charter of the city of Buffalo, and the enlargement of its boundaries," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Upham
Bartlett	Cooley	McElwain	Platt	Vanderbilt
Beekman	Davenport	McMurray	Smith	Ward
Bennett	Huntington	Morgan	Snow	Williams
Bristol	Jones	Newcomb		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from the Assembly was received and read informing that they had passed, without amendment, the following entitled bills:

"An act to amend the act in relation to the support of the poor in the county of Montgomery, passed April 8, 1844."

"An act for the reimbursement to counties of the expenses of criminal proceedings in certain cases."

"An act to authorise a part of the records of the county of Orange to be transcribed and deposited in the clerk's office in the county of Rockland."

"An act to incorporate the St. Mary's Falls ship canal company."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Bartlett moved to take from the table the motion for the reconsideration of the vote on the final passage of the bill entitled "An act to encourage and promote medical enquiry and investigation, and for the better protection of burying grounds and cemeteries."

Mr. Bennett called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Snow	Ward
Bartlett	Davenport	Platt	Taber	Wright
Beekman	McMurray	Smith	VanSchoonhoven	

14

FOR THE NEGATIVE.

Bennett	Huntington	McElwain	Otis	Vanderbilt
Bristol	Jones	Newcomb	Upham	Williams
Conger	Kirby			

12

The President announced the question to be on the motion for a reconsideration of the vote on the passage of said bill.

Debate was had thereon, when

The hour of 12 o'clock M. having arrived, the President announced the special order to be an executive session.

The hour of a $\frac{1}{2}$ to 2 P. M. having arrived, the Senate took a recess until four o'clock, P. M.

FOUR O'CLOCK, P. M.

The Senate again met.

After further time spent therein, the Senate resumed legislative business.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill "An act to incorporate the Franklin bridge company."

The President put the question whether the Senate would agree to the said amendments, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Huntington	McMurray	Pierce	Upham
Beekman	Jones	Morgan	Rogers	Vanderbilt
Bennett	Kirby	Munroe	Smith	Ward
Cooley	McElwain	Newcomb	Snow	Williams
Davenport				

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bill, to wit: "An act to make the village of SilverCreek a separate road district "

By unanimous consent,

Mr. Otis asked for and obtained leave to bring in a bill entitled "An act to authorise the Mexican Ocean mail and inland company to hold grounds for the transportation of mails, passengers and freight, and to convey the same across the Republic of Mexico," which was read a first time, and by unanimous consent was also read the second time."

By unanimous consent,

Ordered, That said bill be referred to the committee on commerce and navigation, to report complete.

By unanimous consent,

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to provide for the incorporation of fire and inland navigation insurance companies," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

The President announced the question before the Senate to be on the reconsideration of the vote on the final passage of the bill

entitled "An act to encourage and promote medical enquiry and investigation, and for the better protection of burying grounds and cemeteries."

Mr. Beekman called for the ayes and noes.

The President put the question whether the Senate would agree to the reconsideration of said vote, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Conger	Jones	Otis	Vanderbilt
Bennett	Cornell	Kirby	Pierce	VanSchoonhoven
Bristol	Huntington	Newcomb	Upham	Williams
Clark				16

FOR THE NEGATIVE.

Babcock	Cooley	Morgan	Rogers	Taber
Bartlett	McElwain	Platt	Snow	Ward
Beekman	McMurray			12

The said bill was then again read.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Platt	Smith	Taber
Bartlett	Davenport	Rogers	Snow	Ward
Beekman	McMurray			12

FOR THE NEGATIVE.

Beach	Conger	Kirby	Newcomb	Upham
Bennett	Huntington	McElwain	Otis	VanSchoonhoven
Bristol	Jones	Munroe	Pierce	Williams
Clark				16

The bill entitled "An act to confirm the title of three acres of land in the town of Crawford, in Orange county, to John Tilford," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Pierce	Taber
Beach	Cooley	McElwain	Platt	Upham
Beekman	Davenport	Munroe	Rogers	Vanderbilt
Bennett	Huntington	Newcomb	Smith	Ward
Bristol	Jones	Otis	Snow	Williams
Clark				26

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in relation to the Oswego canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirma-

tive, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Pierce	Upham
Beekman	Huntington	McMurray	Platt	Vanderbilt
Bristol	Jones	Newcomb	Rogers	Ward
Clark	Kirby	Otis	Smith	Williams
Cooley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act relative to the incorporation of colleges and academies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Taber
Bartlett	Davenport	McMurray	Rogers	Upham
Beekman	Huntington	Munroe	Smith	Vanderbilt
Bristol	Jones	Pierce	Snow	Williams
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Cornell moved to lay the present order of business on the table, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	McMurray	Rogers
Bartlett	Cornell	Kirby	Pierce	Vanderbilt
Bennett	Davenport			

12

FOR THE NEGATIVE.

Beach	Cooley	Newcomb	Smith	Upham
Beekman	Huntington	Otis	Snow	VanSchoonhoven
Bristol	McElwain	Platt	Taber	Williams
Clark	Munroe			

17

The Assembly bill entitled "An act to amend the charter of the village of Potsdam," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Fabcock	Conger	Kirby	Platt	Taber
Burdett	Cooley	McElwain	Rogers	Upham
Beekman	Davenport	McMurray	Smith	Vanderbilt
Bristol	Huntington	Morgan	Snow	Williams
Clark	Jones	Otis		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to incorporate the Port Henry Furnaces," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Newcomb	Snow
Bartlett	Davenport	McMurray	Platt	Upham
Beach	Huntington	Morgan	Rogers	Vanderbilt
Beekman	Jones	Munroe	Smith	Williams
Bristol	Kirby			

22

FOR THE NEGATIVE.

Conger	Otis
--------	------

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the relief of the Ransomville plank road company, in the county of Niagara," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Otis	Snow
Bartlett	Huntington	McMurray	Platt	Upham
Beach	Jones	Morgan	Rogers	Vanderbilt
Beekman	Kirby	Newcomb	Smith	Williams
Bristol				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to annex certain parts of the third and fourth wards of the city of Schenectady, to the towns of Niskayuna and Rotterdam, in the county of Schenectady," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirma-

tive, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Rogers	Upham
Bartlett	Cooley	Morgan	Smith	Vanderbilt
Beach	Davenport	Newcomb	Snow	VanSchoonhoven
Beekman	Huntington	Otis	Taber	Williams
Bennett	Jones	Platt		23

Ordered, That the clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the town superintendents of common schools of the towns of Lee, Ava and Auriesville, in the county of Oneida, to appraise and make distribution of certain school district property in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Otis	Taber
Bartlett	Clark	McElwain	Platt	Upham
Beach	Cooley	Morgan	Rogers	Vanderbilt
Beekman	Davenport	Munroe	Smith	Williams
Bennett	Huntington	Newcomb	Snow	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Platt	Upham
Bartlett	Cooley	McElwain	Rogers	Vanderbilt
Beach	Davenport	McMurray	Smith	Ward
Beekman	Huntington	Morgan	Taber	Williams
Bristol	Jones	Newcomb		23

Ordered, That the Clerk return said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the supervisors of Seneca county, to levy a tax upon the town of Fayette, to pay the balance due for rebuilding a bridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Platt	Upham
Bartlett	Cooley	McMurray	Rogers	Vanderbilt
Beach	Davenport	Morgan	Smith	Ward
Beekman	Huntington	Newcomb	Taber	Williams
Bristol	Kirby	Otis		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorise the formation of railroad corporations and to regulate the same,' passed April 2, 1850," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Platt	Upham
Beach	Davenport	Morgan	Rogers	Vanderbilt
Beekman	Huntington	Munroe	Smith	Ward
Clark	Jones	Newcomb	Taber	Williams
Cooley	Kirby	Otis		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act incorporating the village of Plattsburgh, passed April 26, 1831, and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Newcomb	Upham
Bartlett	Conger	Kirby	Otis	Vanderbilt
Beach	Cornell	McElwain	Platt	Ward
Beekman	Davenport	Morgan	Rogers	Williams
Bristol	Huntington	Munroe	Smith	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the relief of the receiver of the Utica insurance company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Munroe	Snow
Bartlett	Conger	Jones	Otis	Upham
Beach	Cooley	Kirby	Pierce	Ward
Beekman	Cornell	McElwain	Platt	Williams
Bristol	Davenport	Morgan	Rogers	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend and consolidate the several acts relating to the village of Binghamton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Kirby	Otis	Upham
Beach	Cornell	McElwain	Platt	Vanderbilt
Beekman	Davenport	Morgan	Snow	Ward
Bennett	Huntington	Newcomb	Taber	Williams
Clark	Jones			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for the care and instruction of idle and truant children," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Otis	Taber
Bartlett	Cooley	McElwain	Platt	Upham
Beach	Davenport	Morgan	Rogers	Ward
Beekman	Huntington	Munroe	Smith	Williams
Bristol	Jones	Newcomb	Snow	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act concerning foreign bank notes,' having been read a third time,

Mr. Platt moved to recommit to the committee on banks and insurance companies, with instructions to insert after the word "state," at the end of the twenty-third line, in the first section, as follows: "but nothing in this act contained, shall be construed to prohibit any bank or banking institution receiving and paying out such foreign bank bills as they shall receive at par, in the ordinary course of their business."

Debate was had thereon, when

On motion of Mr. Cooley, the Senate took a recess until half past seven o'clock, P. M.

HALF-PAST SEVEN O'CLOCK.

The Senate again met.

On motion of Mr. Upham and by unanimous consent,

The bill entitled "An act to amend an act entitled 'An act to authorise the business of banking, passed April 18, 1838,' " was ordered to a third reading.

The President announced the question before the Senate to be on the motion of Mr. Platt to recommit the said bill under consideration at the time of recess, with instructions, &c.

Debate was had thereon, when

Mr. Van Schoonhoven called for the ayes and noes.

Mr. President then put the question on recommitting the said bill, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Newcomb	Vanderbilt
Beach	Davenport	McMurray	Platt	VanSchoonhoven
Bristol	Huntington	Munroe	Rogers	Williams
Cooley	Kirby			

17

FOR THE NEGATIVE.

Bartlett	Conger	Morgan	Pierce	Taber
Beekman	Jones	Otis	Smith	Upham

10

By unanimous consent,

Mr. Pierce, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorise the construction and maintenance of a bridge over the Erie canal at Ferry-street, in the village of West Troy," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Pierce, from the committee on canals, to which was referred the Assembly bill entitled "An act to amend the laws relating to the equalization of the assessments and the correction of the assessment rolls by the boards of supervisors," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Cooley, from the committee on banks and insurance companies, to which was recommitted the Assembly bill entitled "An act to amend an act entitled 'An act concerning foreign bank notes,' " with instructions to report certain amendments thereto, so reported.

By unanimous consent,

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Newcomb	Smith
Beach	Davenport	McMurray	Otis	Taber
Beckman	Jones	Morgan	Pierce	Upham
Bristol	Kirby	Munroe	Platt	Vanderbilt
Conger				

21

FOR THE NEGATIVE.

Huntington Williams

2

Ordered, That the Clerk deliver said bill to the Assembly, with a message informing that the Senate have passed the same with amendments therewith delivered.

By unanimous consent,

The Senate then resolved itself into a committee of the whole on the bill entitled "An act making appropriations for the support of government, for the fiscal year commencing October first, one thousand eight hundred and fifty three."

And after some time spent therein, Mr. Platt from said committee, reported in favor of the passage of the said bill with amendments.

The President announced the question to be on agreeing to report of committee of the whole.

Mr. Ward moved to amend said report, by reducing appropriation for the State Normal School from \$10,000 to \$6,000, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Pierce	Van Schoonhoven
Beach	Cornell	McElwain	Platt	Ward
Bennett	Davenport			

13

FOR THE NEGATIVE.

Bartlett	Conger	McMurray	Rogers	Taber
Beekman	Huntington	Morgan	Smith	Upham
Bristol	Jones	Newcomb	Snow	Vanderbilt
Clark				

16

By unanimous consent, the said report was then amended, as follows:

For transporting reports of Court of Appeals to such states as may exchange with this State the reports of their highest courts, the sum of two hundred and fifty dollars.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Ward moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Beekman	Cooley	Smith	Ward
Beach	Bristol	Platt	Upham	

9

FOR THE NEGATIVE.

Bartlett	Cornell	McElwain	Pierce	Taber
Bennett	Davenport	McMurray	Rogers	Vanderbilt
Clark	Huntington	Morgan	Snow	VanSchoonhoven
Conger	Jones	Newcomb		

18

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Upham
Bartlett	Cooley	McMurray	Rogers	Vanderbilt
Beekman	Cornell	Morgan	Smith	VanSchoonhoven
Bennett	Davenport	Newcomb	Snow	Ward
Bristol	Huntington	Pierce	Taber	Williams
Clark	Jones			

27

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

The Assembly bill entitled "An act for the protection of emigrant passengers arriving at the city of New-York," was read a third time.

Mr. Cooley moved to recommit same to the committee on commerce and navigation, with instructions to so amend the first section, as to allow emigrants to land upon any of the wharves in the city of New-York or Staten Island.

Mr. Bristol moved to amend said instructions, by striking out

all of the bill now before the Senate, and inserting the following as a substitute.

AN ACT

for the protection of emigrant passengers arriving at the city of New-York.

The People of the State of New-York represented in Senate and Assembly, do enact as follows :

SEC. 1. The owner or owners, consignée or consignees, master, commander, or person having charge of any ship or vessel arriving at the port of New-York with passengers emigrating to the United States, shall land all such passengers on some one of the wharves of the city of New-York, or wherever else they may choose to land.

§ 2. No owner or owners, consignee or consignees, master, commander, or person having charge of any such ship or vessel, shall order, permit or allow any such passenger to be taken or removed from such ship or vessel at quarantine or elsewhere, excepting for the purposes of the quarantine regulations as to health or under permit from custom house of port of New-York.

§ 3. The first and second sections of this act shall apply to the owner or owners, consignee or consignees, master, commander, or person having charge of any steamboat or other vessel employed for the purpose of conveying any passengers from quarantine.

§ 4. Every steamboat, canal boat, or railroad company, owner or owners, engaged in conveying emigrant passengers and their baggage, shall file with the commissioners of emigration at the city of New-York, and with their (the commissioners,) agents at such places through which their lines may pass, and also with the mayors of such cities where they (the said commissioners,) have agents for the purpose of selling passage tickets to emigrant passengers, a full list of their rates of fare, within three days after such rates have been adopted, or after any alteration of such rates has taken place, and the prices thus filed shall be the regular prices at which emigrant passage tickets shall be sold by said companies, or owners or their agent or agents, and the said companies, owners or their agents, shall not be allowed to accept any passage ticket or order for such ticket or tickets from any person or persons if issued or sold at a higher rate than that filed by the respective companies or owners as aforesaid; and such companies or owners of steamboats, canal boats, or railroads shall not permit any other person or persons, to weigh luggage or to take money from the emigrants for its transportation, but the baggage master and weight collector regularly appointed by such companies, owners or their agents.

§ 5. Any steamboat, canal boat or railroad company, owner

or owners, who shall fail to comply with the foregoing sections shall on conviction thereof be subject to a penalty of five hundred dollars. Any consignee or consignees, master, commander, or person having charge of any ship, steamboat or vessel, who shall violate any of the provisions of this act, and the owner or owners of such ship, steamboat or vessel, severally and respectively, shall be subject to a penalty of five hundred dollars for each and every violation of any of the provisions of this act, to be sued for and recovered with costs of suit by and in the name of the commissioners of emigration in any court having cognizance thereof; and when recovered, one half of said recovery shall be paid to the person furnishing information and evidence of such violation, and the remainder of such recovery shall be applied and used by said commissioners of emigration for the purposes for which said commissioners are constituted.

§ 6. Any person or persons selling or causing to be sold a passage ticket or tickets or order for such ticket or tickets to any emigrant passenger at a higher rate than that filed as aforesaid in section 4 by the respective company, companies, owner or owners of steamboats, canal boats or railroads, or taking money for such tickets or orders under any false representation as to class or character of such passage or route to be taken, shall on conviction thereof be deemed guilty of a misdemeanor and punished by a fine of two hundred and fifty dollars, and imprisonment in the county jail for not less than sixty days.

§ 7. Any ship, steamboat or vessel, whose master, commander, or owner or owners, shall have incurred any penalty or forfeiture under the provisions of this act, shall be liable for such penalties or forfeitures, which shall be a lien upon such ship or vessel and may be enforced or collected by warrant or attachment, in the same manner as is provided in title eight of the third part of the revised statutes, all the provisions of which title shall apply to the forfeitures and penalties imposed by this act; and the said commissioners of emigration shall for the purpose of such attachment, be deemed creditors of such ship, steamboat or vessel, and of her master or commander, and owner or owners, respectively.

§ 8. All acts and parts of acts inconsistent with this act, are hereby repealed.

§ 9. This act shall take effect immediately.

Debate was had thereon; when

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the amendment offered by Mr. Bristol, which was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol

Cooley

Morgan

Newcomb

Van Schoonhoven

FOR THE NEGATIVE.

Babcock	Bennett	Davenport	Pierce	Snow
Bartlett	Clark	Huntington	Platt	Taber
Beach	Conger	Jones	Rogers	Vanderbilt
Beekman	Cornell	McElwain	Smith	Williams

20

Mr. Cooley moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Cooley Smith

2

FOR THE NEGATIVE.

Babcock	Clark	Jones	Pierce	Taber
Bartlett	Conger	McElwain	Platt	Upham
Beekman	Cornell	Morgan	Rogers	Vanderbilt
Bennett	Davenport	Newcomb	Snow	Williams

20

The President announced the question to be on the motion of Mr. Cooley, to recommit with instructions, &c.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows

FOR THE AFFIRMATIVE.

Cooley Morgan VanSchoonhoven Williams

4

FOR THE NEGATIVE.

Babcock	Bennett	Davenport	Newcomb	Smith
Bartlett	Clark	Huntington	Pierce	Snow
Beach	Conger	Jones	Platt	Taber
Beekman	Cornell	McElwain	Rogers	Vanderbilt

20

Mr. Van Schoonhoven moved to recommit to the committee on commerce and navigation, with instructions to add the following section to the said bill :

Any person or persons who shall either sell, dispose of for valuable consideration, or cause to be sold, or so disposed of, any ticket or tickets, or order for any ticket or tickets, at prices beyond that advertised, according to the provisions of this bill, or any law of this State, shall be, upon proof or conviction thereof, imprisoned for a term not exceeding two years, in one of the prisons of this State.

Debate was had thereon, when

Mr. Cooley moved to adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach Cooley Smith Upham VanSchoonhoven

7

FOR THE NEGATIVE.

Babcock	Conger	McElwain	Platt	Taber
Bartlett	Cornell	McMurray	Rogers	Vanderbilt
Beekman	Davenport	Newcomb	Snow	Williams
Bennett	Jones	Pierce		

18

The President announced the question to be on the motion of Mr. Van Schoonhoven to recommit, &c.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Cooley	VanSchoonhoven			
--------	----------------	--	--	--

2

FOR THE NEGATIVE.

Babcock	Bennett	Davenport	Newcomb	Snow
Bartlett	Clark	Huntington	Platt	Taber
Beach	Conger	Jones	Rogers	Upham
Beekman	Cornell	McMurray	Smith	Vanderbilt

20

Mr. Van Schoonhoven moved to recommit, with instructions to strike out the words "and one quarter," in the amount per mile for passage tickets, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Cooley	Morgan	Upham	VanSchoonhoven
Clark	Huntington	Smith		

8

FOR THE NEGATIVE.

Babcock	Bennett	Davenport	Newcomb	Taber
Bartlett	Conger	McElwain	Platt	Vanderbilt
Beekman	Cornell	McMurray	Snow	

14

Mr. Van Schoonhoven moved to recommit with instructions to amend, by adding to the previous section offered by him as an amendment to said bill, the following after the word "advertised" "by any company referred to by the provisions of the bill."

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Clark	Cooley	Huntington	Upham	VanSchoonhoven
-------	--------	------------	-------	----------------

5

FOR THE NEGATIVE.

Babcock	Conger	McElwain	Platt	Taber
Bartlett	Cornell	McMurray	Rogers	Vanderbilt
Beekman	Davenport	Morgan	Snow	Williams
Bennett	Jones	Pierce		

18

Mr. Van Schoonhoven moved to recommit, with instructions to add to the previous amendments offered by him as a new section

to said bill, the following, to come in after the word "advertised" in said section, "by any company which shall transport or convey the passenger purchasing such a ticket."

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Clark	Cooley	Huntington	Upham	VanSchoonhoven
				5

FOR THE NEGATIVE.

Babcock	Conger	McElwain	Platt	Taber
Bartlett	Cornell	McMurray	Rogers	Vanderbilt
Beekman	Davenport	Morgan	Snow	Williams
Bennett	Jones	Pierce		
				18

Mr. Cooley moved to recommit said bill.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Van Schoonhoven moved to recommit with instructions to amend, by adding the following section:

"Any person who shall *sell* or *dispose* of any ticket, or order for ticket or tickets, at a price or for a consideration beyond the highest price advertised for tickets by the company, advertising at the highest price published according to this or any other law, shall be upon conviction thereof, in any of the courts of this State deemed guilty of a misdemeanor, and imprisoned therefor in one of the prisons of this State, for a term of not exceeding two years."

Debate was had thereon, when

By unanimous consent such amendments were made.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Pierce	Taber
Bartlett	Conger	Jones	Platt	Upham
Beach	Cornell	McElwain	Smith	Vanderbilt
Beekman	Davenport	McMurray	Snow	VanSchoonhoven
Bennett				
				21

FOR THE NEGATIVE.

Cooley	1
--------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with an amendment.

At the hour of half-past two o'clock p.m., the Senate adjourned to ten o'clock a.m., Wednesday.

WEDNESDAY, APRIL 13, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Clark presented the remonstrance of 170 citizens of Dunkirk, against the imposition of tolls on railroads, which was committed to the committee of the whole.

Mr. Bristol presented the remonstrance of citizens of Tioga co., on the same subject, which was committed to the committee of the whole.

Mr. Williams presented the remonstrance of 150 citizens on the line of the Buffalo, Corning and New-York city railroad, on the same subject, which was committed to the committee of the whole.

Mr. Williams presented the remonstrance of citizens of Narrowsburgh, on the same subject, which was committed to the committee of the whole.

Mr. Williams presented the remonstrance of Wm. T. Reeder, and fifty others, on the same subject, which was committed to the committee of the whole.

Mr. Cornell presented ten several remonstrances of citizens of Steuben co., on the same subject, which were committed to the committee of the whole.

Mr. Clark presented the remonstrance of citizens of Chautauque co., against tolls on railroads, which was committed to the committee of the whole.

Mr. Williams presented the remonstrance of citizens of Allegany co., on the same subject, which was committed to the committee of the whole.

Mr. Otis presented the petition of citizens of Dutchess co., for the passage of a law prohibiting railroad companies from giving members of the Legislature and judges, free tickets on their roads, which was referred to the committee on railroads.

Mr. Conger, from the committee on literature, to which was referred several petitions for appropriations to Genesee college, St. John's college, Oneida Conference seminary, Rensselaer Polytechnic institute and Delaware institute, reported adversely on each of said petitions, and moved that the committee be discharged from the further consideration thereof.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger, from the committee on literature, to which was referred the petition of Lucilla Tracy for an act to incorporate the Tracy female seminary at Rochester, reported adversely, and moved that the prayer of the petitioner be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger, from the committee on literature, to which was referred the petition of the board of supervisors of the county of Kings, relating to school moneys, moved that the committee be discharged from the further consideration of the same.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger, from the committee on literature, to which was referred the petition of citizens of Dutchess co., for the separation of the State Superintendent of Common Schools from the office of Secretary of State, moved that the committee be discharged from the further consideration of the same.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger, from the committee on literature, to which was referred the memorial of the board of supervisors of Westchester co., in relation to the school law of 1851, moved to be discharged from the further consideration thereof.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to establish free schools in school district number one, of the town of West Farms, Westchester co.," with power to report complete, reported the same for the consideration of the Senate with amendments.

Ordered, That said bill do have its third reading.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to establish free schools in school district number four, in the town of Eastchester, Westchester county," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Conger, from the committee on literature, to which was referred the petition of citizens of Rome and vicinity, asking for a portion of school fund for aid to catholic schools in that town, moved to be discharged from the further consideration thereof.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger, from the committee on State prisons, to which was referred the petition of the Croton and Sparta Lime Company, for the appointment of an appraiser by State prison inspectors, reported adversely, and moved that the prayer of the petitioner be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Jones, from the committee on claims, to which was referred the petition of John and Robert Adams, for canal damages, reported adversely, and moved that the prayer of the petitioners be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Jones, from the committee on claims, to which was referred the petition of Mesrit Clark and others, for relief, reported adversely, and moved that the prayer of the petitioners be not granted.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Van Schoonhoven, from the committee on poor laws, to which was referred a resolution of the board of supervisors of Delaware co., for an amendment of the poor laws, moved that said committee be discharged from the further consideration of the same.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act to authorize Levi S. Backus to distribute one hundred and fifty copies of a newspaper called the "Radii," to educated deaf mutes, and to provide compensation for the same," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Jones, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of James Cunningham," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Williamsburgh,' passed April 7, 1851," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to divide the eighteenth ward of the city of New-York, into two wards," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Morgan, from the select committee, to which was referred the Assembly bill entitled "An act to divide the seventeenth ward of the city of New-York, into two wards," moved to be discharged from the further consideration of the same.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger, from the committee on finance, to which was referred a resolution of the Senate instructing said committee to inquire what errors were made in the journal of the Senate at the last session, or wherein the journal did not correspond with the

final action of the Senate upon the bill providing for certain expenses of the government, passed April 17, 1852, submitted a report from the Secretary of State, in relation to said bill, and offered the following: *Resolved*, That the Secretary of State be directed to require of the publishers of the general statistics, for which an appropriation was made at the last session of \$4,500, a sufficient number of copies to make up that sum as near as may be, at the rate of \$3.62½ per copy, exclusive of those furnished to the members of the last Legislature.

On motion of Mr. Beach,

Said resolution was laid upon the table.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to divide the nineteenth ward of the city of New-York, into two wards," moved that said committee be discharged from the further consideration thereof.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Munroe moved to lay the present order of business on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred petitions &c., of lodges of free masons for incorporating the grand lodge, &c., moved that said committee be discharged from the further consideration of the same.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the petition of citizens of Geddes, Onondaga co., to sell their burying ground, moved to be discharged from the further consideration of the same.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred petitions and remonstrances of citizens of Cold Spring, in relation to excise, moved to be discharged from the further consideration of the same.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Morgan, from the select committee, to which was referred petitions in relation to extending the Bowery one hundred feet wide by way of Pearl street to the battery; also Sixth avenue to intersect Greenwich street, one hundred feet wide to the Battery, moved to be discharged from the further consideration of the same.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Clark, from the committee on roads and bridges, to which was referred the bill entitled "An act for the building of a draw bridge across the Conjacketies creek, in the town of Black Rock, Erie county," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cornell moved that the present order of business be laid upon the table.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McMurray	Otis	Snow
Bartlett	Huntington	Morgan	Platt	Taber
Bennett	Kirby	Munroe	Rogers	Williams
Clark	McElvain			

17,

FOR THE NEGATIVE.

Beekman	Cooley	Newcomb	Upham	Van Schoonhoven
Bristol	Davenport	Smith	Vanderbilt	Ward
Conger	Jones			

12

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to provide for the effectual draining of the Cayuga marshes and swamp lands."

"An act to facilitate the dissolution of manufacturing corporations in the county of Cayuga, and to secure the payment of their debts without preference."

"An act to incorporate the Saint Mary's Falls Ship canal company."

"An act to incorporate the United States Trust Company of New-York."

"An act to authorize the consolidation of the Syracuse and Binghamton and the Oswego and Syracuse railroad companies."

"An act to enable Thomas Cypriano de Mosquera and Pedro Alcantara Herran to hold real estate."

"An act to enable Carrington Macfarlane and James Duncan Macfarlane, infant aliens, to take and hold real estate."

"An act to make the village of Silvercreek, a separate road district."

"An act to authorize the mayor, aldermen, and commonalty of the city of New-York, to raise seventy-five thousand dollars, to fund the same for the erection of the south wing of the work house at Blackwell's Island."

"An act to confirm certain sales and conveyances of real estate in the county of Kings, made by Thomas G. Talmadge, as loan commissioner."

"An act relating to the Union Cemetery, in the town of Bushwick, county of Kings."

"An act to incorporate the Albany and New Baltimore ship canal and basin company."

"An act for the reimbursement to counties of the expenses of criminal proceedings in certain cases."

"An act to further amend the act entitled 'An act to establish the Dutchess Turnpike Company,' passed April 5, 1892, so as to authorize such company to macadamize all or some portion or portions thereof, and for other purposes."

"An act to amend the act in relation to the support of the poor in the county of Montgomery, passed April 8, 1844."

"An act to authorize a part of the records of the county of Orange, to be transcribed and deposited in the clerk's office of the county of Rockland."

"An act to amend the act to establish a turnpike corporation, for improving and making a road from the village of Newburgh, on the Hudson river to Cohecton, on the Delaware."

"An act to change the name of Palmyra Bank."

"An act to amend the several acts relating to the powers and duties of the commissioners of emigration, and for the regulation of the marine hospital."

The bill entitled "An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851."

The bill entitled "An act to amend an act entitled 'An act concerning foreign bank notes,' were received back from the Assembly, with notice of concurrence in amendments of Senate to each of said bills."

Ordered, That the Clerk return said bills to the Assembly.

Mr. Morgan presented a report of the Mariner's family asylum, for the erection of a building agreeably to the act passed 17th March, 1851.

Ordered, That said report be referred to committee on public printing.

The bill entitled "An act making appropriations for the support of the government for the fiscal year commencing October first, one thousand eight hundred and fifty three," was received from the Assembly, with notice of concurrence in Senate's amendment thereto.

Ordered, That the Clerk return said bill to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to provide for certain expenses of Government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate to the following entitled bill, to wit:

"An act to revise the charter of the city of Buffalo, and to enlarge its boundaries."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate to the following entitled bills:

"An act to amend an act entitled 'An act to authorise the formation of railroad corporations, and to regulate the same, passed April 2, 1850.'"

"An act to provide for the education of the children of the St. Regis Indians in the county of Franklin."

"An act to amend an act entitled 'An act declaring the river Saranac a public highway.'"

"An act to authorise the construction and maintenance of a bridge over the Erie canal at Ferry-street, in the village of West Troy."

"An act for the protection of emigrant passengers arriving at the city of New-York."

Ordered, That the Clerk return said bills to the Assembly.

The President announced the order of reports of select committees.

Mr. Conger moved to take from the table the report of the select committee on the bill entitled "An act to amend an act entitled 'An act to incorporate the Williamsburgh waterworks company,' passed April 16th, 1852."

Mr. Munroe moved to lay the present order of business on the table, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative as follows

FOR THE AFFIRMATIVE.

Clark	McMurray	Munroe	Platt	Vanderbilt	
McElwain	Morgan	Otis	Snow		9

FOR THE NEGATIVE.

Bartlett	Conger	Jones	Smith	VanSchoenhoven	
Beach	Cooley	Newcomb	Taber	Ward	
Bennett	Cornell	Rogers	Upham	Williams	
Bristol	Davenport				17

The President put the question on the motion of Mr. Conger to take said bill from the table, and it was decided in the affirmative.

The President then announced the question to be on agreeing to the said report.

Debate was had thereon, when

Mr. Beekman moved to lay the whole subject on the table.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Clark	McElwain	McMurray	Otis	5
---------	-------	----------	----------	------	---

FOR THE NEGATIVE.

Bartlett	Cooley	Morgan	Smith	Vanderbilt
Beach	Cornell	Newcomb	Snow	VanSchoonhoven
Bristol	Jones	Platt	Taber	Williams
Conger	Kirby	Rogers	Upham	19

The president announced the question to be on the report of the select committee.

Debate was had thereon, when

Mr. Babcock raised a point of order as to the course of remarks made by Mr. Vanderbilt, Senator from the second district, as follows:

"The Senator is out of order in stating that the Senator from the thirty-first desires to pass the bill upon which the Senator from the second is speaking; and that the Senator from the thirty-first wishes to prolong the session."

The President decided that the point of order was not well taken.

Debate was had thereon, when

On motion of Mr. Platt and by unanimous consent,

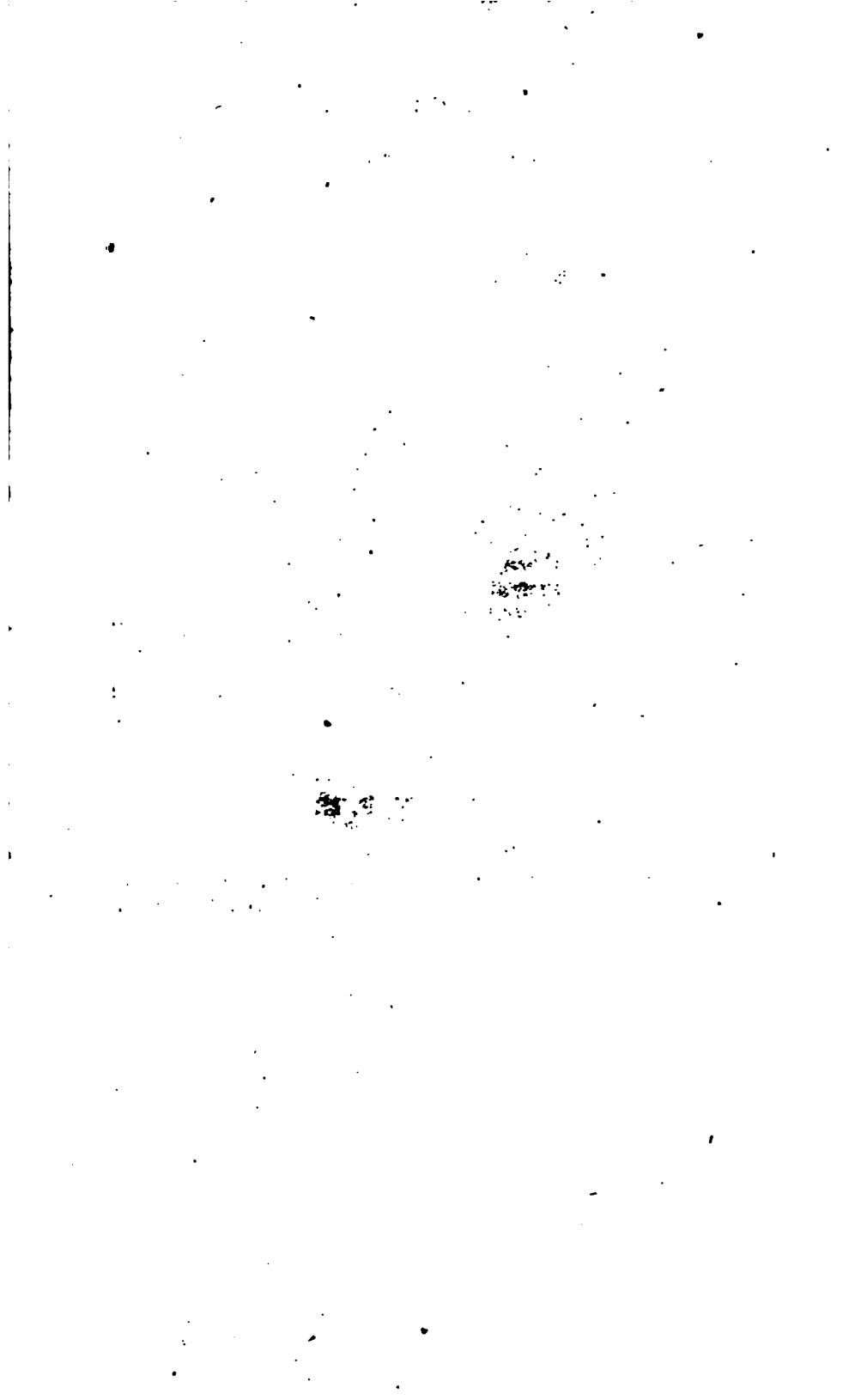
Resolved, (if the Assembly concur), that the time for the final adjournment of the Legislature be extended to four o'clock tomorrow afternoon.

At a quarter to two o'clock P. M. the Senate took a recess until four o'clock P. M.

FOUR O'CLOCK, P. M.

The Senate again met.

In pursuance of a joint resolution of the Senate and Assembly, previously adopted, the President adjourned the Senate sine die.



EXTRA SESSION.

STATE OF NEW-YORK, SENATE CHAMBER, IN THE CITY OF ALBANY,

THURSDAY APRIL 14, 1853.

PURSUANT to the following proclamation of the Governor the Senate convened in the Senate chamber, in the city of Albany, and was called to order by the President:

STATE OF NEW-YORK:

EXECUTIVE DEPARTMENT, }
Albany, April 14th, 1853. }

By virtue of the power vested in me by the 4th section of the 4th article of the Constitution, I hereby convene the Legislature of this State to meet at the Capitol in the city of Albany, tomorrow, the 14th day of April instant, at ten o'clock in the morning.

HORATIO SEYMOUR.

Said proclamation was then read.

Prayer by the Rev. Mr. White.

Upon calling the roll the following members appeared and answered to their names:

Babcock	Clark	Jones	Newcomb	Snow
Bartlett	Conger	Kirby	Otis	Taber
Beach	Cooley	McElwain	Pierce	Vanderbilt
Beckman	Cornell	McMurray	Platt	Ward
Bennett	Davenport	Morgan	Smith	Williams
Bristol	Huntington	Munroe		

23

On motion of Mr. Cooley,

Resolved, That a committee of two be appointed by the presiding officer to wait on his Excellency, the Governor, and inform him the Senate is convened and ready to proceed to business.

The President appointed as such committee, Messrs. Cooley and Munroe.

On motion of Mr. McMurray,

Resolved, That a committee of two be appointed to wait on the honorable the Assembly, and inform that body the Senate is convened and ready to proceed to business.

The President appointed as such committee, Messrs. McMurray and Clark.

Mr. Pierce offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the rules and orders of the last session of the Senate, remain in full force and effect till otherwise ordered.

Mr. Babcock moved to amend, so that a committee of three be appointed, to which rules shall be referred for revision, and that standing rules of the late session, be the rules of the present session, until the adoption of the report of the committee thereon.

Mr. Pierce accepted of said amendment.

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

Mr. McMurray, from the committee to inform the Assembly that the Senate was ready to proceed to business, reported that they had discharged the duty assigned them.

Mr. Cooley, from the committee to inform the Governor that the Senate was ready to proceed to business, reported that they had discharged the duty assigned them, and that the Governor would soon communicate with the Senate in writing.

The President appointed Messrs. Babcock, Bennett and Morgan, a committee to revise rules.

Messrs. Peters and L. H. Smith, committee from the Assembly, appeared, and announced that that body was ready to proceed to business.

Mr. McMahon, private secretary of the Governor, appeared and presented the following message:

STATE OF NEW-YORK:

EXECUTIVE DEPARTMENT, }
ALBANY, April 14th, 1853. }

To the Senate and Assembly:

The constitution makes it the duty of the Governor to convene the Legislature on extraordinary occasions. The Legislature having adjourned without providing for the preservation of the public faith, and having failed to pass laws essential to the public welfare, I have deemed it my duty to exercise the power entrusted to me by the constitution, and to convene you at the earliest practicable period. The continuance of the session for a few days, while important subjects of legislation are yet familiar to you, will enable you to perfect measures demanded by the public good. No appropriations have been made for many of the expenses of government, and for the support of many of the charitable institutions of the State. The failure to pass the an-

nual tax bill for the city of New-York will not only embarrass the government of that city, but will probably prevent the payment of its contribution to the Common School revenues. This will cause great embarrassment and distress among the teachers who are dependent upon these revenues for their support. Immediately before the adjournment of yesterday grave charges were preferred by a committee of the Assembly against one of the Canal Commissioners. It is due to the officer thus accused, that prompt action should be had upon a subject so deeply affecting his character and honor, as well as the interests of the State. It would be an act of injustice to compel him to rest under the imputations contained in this report until the meeting of the next Legislature, without giving him an opportunity to vindicate his honor by a full and fair investigation.

No appropriations have been made for the payment of the interest on the canal debt. A failure to meet the engagements of the State would be a just cause for mortification to all of our citizens. It rests with the legislative branch of the government to save our State from the discredit of failing to provide for the prompt payment of its obligations. It appears, from the reports of the Comptroller, that the revenues of the general fund are insufficient to meet the ordinary demands upon the treasury. Some provision should, at once, be made to pay the necessary expenses of government.

Although the subject of our internal improvements has occupied the attention of the public and engrossed much of the time of the Legislature, the usual provision has not been made for keeping our canals in repair, or for paying the expense of their superintendence; nor has any appropriation been made of their surplus revenues for the prosecution of the work on the Erie canal enlargement, Genesee Valley and Black river canals.

I have heretofore deemed it my duty to call the attention of the Legislature to the necessity of making immediate appropriations to secure some essential improvements of the Erie and Oswego canals. The commerce of these canals will be seriously embarrassed, if not disastrously obstructed, unless the improvements suggested in my annual message, and recommended by the State Engineer in his reports to the Legislature, are made at the earliest practicable period. Unless the channels of these canals are immediately improved, so as to admit of the use of enlarged boats, there is cause to apprehend that business will be diverted from them for the want of sufficient means of transportation. As it appears that an appropriation of less than \$600,000 will nearly double the capacity of these canals, it is probable that a delay for the present season to make provisions for this work will inflict upon the interests of the State and its citizens an amount of pecuniary injury equal to the cost of the improvements contemplated. If these improvements are made, they will, in no degree, conflict with the proposed enlargement of these canals.

On the contrary they will hasten that result by increasing our domestic commerce, cheapening transportation, and augmenting the revenues of our public works.

I feel that great injustice will be done to our citizens living along the unfinished portions of the Genesee Valley and Black river canals, unless some immediate appropriation is made towards their completion. The expenditure of \$75,000 will connect the Black river canal with the Black river at High Falls, and enable the inhabitants along fifty-four miles of that river and its tributaries to use it for the purpose of transporting their lumber and other products to market. The sum of \$150,000 expended upon the Genesee Valley canal will give to the inhabitants living between its present terminus and Olean, the use of that work for considerable portions of the year. It is unjust to the inhabitants of those regions, whose hopes have been so long delayed, to withhold or postpone these small appropriations which would be of such essential benefit to them, and would be so speedily refunded by the contributions they would bring to our canal revenues.

It cannot be doubted, that the people of this State have relied with confidence upon the present Legislature to make provision for such improvements upon the Erie and lateral canals as the necessities of the present season demand, and to prevent an entire suspension of the public works. The Legislature has failed to make any provision for the continued prosecution and completion of our unfinished canals. I still entertain the opinion I have heretofore expressed, that the honor and interests of the State of New-York require the completion of the Erie Canal enlargement. I also think the Oswego and the Cayuga and Seneca canals should be increased to the same proposed dimensions of seven feet depth and seventy feet width. I have heretofore recommended that an annual appropriation of at least one million of dollars should be secured by one of the modes suggested by me at the commencement of the annual session; for the purpose of effecting these objects, I suggested a moderate annual appropriation, because past experience in the history of our canals shows that the efficiency of appropriations depends less upon their amount than upon the wisdom, economy and fidelity with which they are applied.

Although the Legislature, by prolonged discussions and proposed measures, have recognised the importance of completing our unfinished works, no plan has been adopted for their continued prosecution. Different propositions have been made to raise the necessary funds by taxation and by amendments of the constitution. Two proposed amendments of that instrument have been discussed. They differ as to the amount to be borrowed in each year, the total amount of debt to be created, and the mode of repayment of the money borrowed. One proposes to borrow \$2,500,000, in each year, in addition to the surplus revenues

which would swell the annual expenditures to more than \$3,000,000, and authorise an aggregate increase of the indebtedness of the State to the amount of \$10,500,000. The other plan proposes to borrow, annually, for six successive years, a sum which, with the surplus revenues, would amount to \$1,500,000, and would probably create an aggregate indebtedness of \$5,000,000, if the proposed improvements are made.

The latter also distinctly guards against the application of moneys to be borrowed upon the contracts made under the canal law of 1851, and is thus disconnected from the pecuniary expectations of any class of citizens.

The deep feeling excited in the public mind by the canal lettings under the law of 1851, has created a strong opposition to any amendment of the financial provision of the Constitution, and the differences of opinion in relation to them, have obstructed legislation, and prevented the passage of laws demanded by the interests of our public works.

As the amendment to the constitution, proposed in the Assembly, forbids that any money borrowed should be applied to those contracts and directs, that the work to be done shall be relet and awarded to the lowest bidder, it will be received with more favor by the people of the State, as it is not open to the suspicion of being designed to advance private interests. This amendment also conforms to a suggestion made by me at the commencement of the session, that "if any amendment of the constitution should be proposed by the Senate and Assembly to enable the Legislature to borrow money to complete our canals in the manner suggested, it should conform in all respects, to the provisions of the constitution in relation to the payment of the existing indebtedness, by requiring the creation of a sinking fund to pay the interest and redeem the principal of any such debt, within eighteen years from the time of its creation; and if the surplus tolls should be insufficient for the purpose, that the Legislature shall provide for any deficiency by equitable taxes."

In my opinion, the amendment proposed in the Assembly is best calculated to harmonize the conflicting views entertained with regard to the proper mode of securing the completion of our public works, and I commend it to your favorable consideration. As the measures for the immediate improvement demanded by the condition of our public works, and those which are designed for their completion, are independent of, and in no degree in conflict with each other, the adoption of one should not be required as a condition to the passage of the other.

For the reasons heretofore stated, I have deemed it my duty to prolong this session of the Legislature.

A few days devoted at this time, to the perfection of the important measures referred to, will not only prevent great injury to the public honor and interest, but will also save the necessity of a renewed examination and discussion at a future day.

HORATIO SEYMOUR.

Mr. Conger offered for the consideration of the Senate, the following resolution, to wit:

Resolved, (If the Assembly concur,) that the legislature will resume its business in the same order as if it had adjourned over until this morning.

Debate was had thereon, when

Mr. Pierce offered the following amendment as a substitute.

Resolved, (If the Assembly concur,) that the unfinished business of the last session of this legislature be resumed at the present session, at the point where it was left, by the rules and orders of either or both Houses, on the adjournment of yesterday.

Debate was had thereon, when

Mr. Conger accepted of said amendment.

Mr. Bristol offered the following amendment, "But no bill shall be considered and acted upon excepting the Supply bill, until the first Tuesday in May next, and after passing the said supply bill, the legislature will take a recess until the first Tuesday in May next.

Debate was had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative as follows:

FOR THE AFFIRMATIVE.

Bristol	Kirby	Otis	VanSchoonhoven	Ward
Cooley	McElwain			

7

FOR THE NEGATIVE.

Babcock	Conger	McMurray	Platt	Taber
Bartlett	Cornell	Morgan	Rogers	Upham
Beekman	Davenport	Newcomb	Smith	Vanderbilt
Bennett	Jones	Pierce	Snow	Williams
Clark				

21

The President announced the question to be on the resolution of Mr. Conger, as amended by amendment offered by Mr. Pierce.

Mr. Ward called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Otis	Snow
Bartlett	Cornell	McMurray	Pierce	Taber
Bennett	Davenport	Morgan	Platt	Upham
Bristol	Jones	Mauroe	Rogers	VanSchoonhoven
Clark	Kirby	Newcomb	Smith	Williams

25

FOR THE NEGATIVE.

Beekman	Cooley	Vanderbilt	Ward
---------	--------	------------	------

4

The following concurrent resolution was received from the Assembly:

Resolved, (If the Senate concur,) that the Legislature proceed with the business pending before it on the 13th April instant,

under the same rules and organization, and in the same manner as if the two houses had adjourned until this morning.

On motion of Mr. Taber, the same was concurred in.

Mr. Babcock offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved (If the Assembly concur), That no new proposition not now pending for the enactment of a law, shall be acted upon by either branch of the Legislature at this session.

Debate was had thereon, when

Mr. Morgan offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved (If the Assembly concur), That measures not petitioned for at the late session, or which were not presented at such session by bill, or by notice of a bill, shall not be considered at this session.

Mr. Cornell moved to amend, by striking out of Mr. Morgan's amendment, the words "not petitioned for at the late session or," and striking out the word "such," and inserting the word "late" in its stead.

Debate was had thereon, when

Mr. Clark moved that the Senate take a recess until four o'clock, p. m.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Pierce	Taber
Bartlett	Huntington	Morgan	Platt	Vanderbilt
Beckman	Jones	Newcomb	Rogers	Van Schoonhoven
Clark	Kirby	Otis	Snow	Williams
Conger				

21

FOR THE NEGATIVE.

Cornell	Davenport	Smith	
---------	-----------	-------	--

8

At two o'clock, p. m., the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The following concurrent resolution was received from the Assembly:

Resolved (If the Senate concur), That this House, to-morrow, at two o'clock, p. m., take a recess until Wednesday, the 18th day of May next, at eleven o'clock.

Mr. Cornell moved to amend as follows: "and that this ses-

sion shall not continue for a longer period than fifteen days next thereafter."

Mr. Van Schoonhoven moved to further amend, by striking out the words "to-morrow, at two o'clock, p. m.," and insert in lieu thereof "immediately upon the final passage of the bill entitled 'An act to provide for certain expenses of government.'"

Mr. Cooley moved to lay the whole subject on the table, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Platt	Upham	VanSchoonhoven
Bartlett	Cooley	Smith	Vanderbilt	Williams
Beckman	Morgan	Snow		

13

FOR THE NEGATIVE.

Conger	Huntington	McElwain	Newcomb	Rogers
Cornell	Jones	Munroe	Pierce	Taber
Davenport				

11

The President announced the question before the Senate to be on the amendment offered by Mr. Cornell, to Mr. Morgan's amendment, to the resolution of Mr. Babcock, under consideration at the time of recess.

By unanimous consent,

Mr. Cooley gave notice that he would, at an early day, ask leave to introduce a bill for repealing, or materially amending an act entitled "An act for the protection of emigrant passengers arriving at the city of New-York, passed April 13, 1853."

Mr. Williams moved to lay the question on Mr. Babcock's resolution and the several amendments thereto, on the table.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Smith	Upham	Ward
Beach	Morgan	Snow	VanSchoonhoven	Williams
Beckman	Newcomb			

12

FOR THE NEGATIVE.

Babcock	Davenport	McMurray	Pieroe	Taber
Conger	Jones	Munroe	Platt	Vanderbilt
Cornell	McElwain	Otis	Rogers	

14

The President announced the question to be on Mr. Cornell's amendment.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	McMurray	Pierce	Smith
Beach	Huntington	Mapes	Platt	Taber
Conger	Jones	Newcomb	Rogers	Upham
Cooley				

16

FOR THE NEGATIVE.

Bartlett	Davenport	Otis	Snow	VanSchoonhoven
Clark	Morgan			

7

Mr. Conger offered the following amendment.

But this shall not exclude any public measure affecting the general interests of the State.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

Mr. Bartlett moved to lay the whole subject on the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Newcomb	Snow	VanSchoonhoven
Beach	Cooley	Otis	Upham	Ward
Beekman	Morgan	Smith	Vanderbilt	Wright
Bristol				

16

FOR THE NEGATIVE.

Babcock	Conger	Cornell	Jones	Platt
---------	--------	---------	-------	-------

5

Mr. Morgan presented a memorial from George Griswold and others, for the appointment of a committee on the part of the Senate to inquire into alleged abuses in the city government of New-York, with power to send for persons and papers, which was referred to a select committee of Senators from the 3d, 4th, 5th and 6th districts.

Mr. Beekman presented a memorial from Peter Cooper and others, on the same subject, which was referred to a select committee of Senators from the 3d, 4th, 5th and 6th districts.

Mr. Babcock, from the select committee to revise the rules of the Senate, reported the following:

Every member when he speaks, shall address the chair, standing in his place. No member shall speak more than fifteen minutes in any one day, upon the same subject or proposition; nor shall any member speak more than twice in any such debate, (and the second time only five minutes.) Amendments to a bill or proposition, or motions in relation to the same, shall not be considered new subjects or propositions, so as to give a member any additional right to speak, but members may make brief explanations of amendments, or motions, not to exceed, in any case, five minutes.

Debate was had thereon, when

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	Morgan	Platt	Upham
Bartlett	Huntington	Munroe	Rogers	Vanderbilt
Bennett	Jones	Newcomb	Saw	Williams
Clark	Kirby	Otis	Taber	Wright
Cornell	McElwain	Pierce		

23

FOR THE NEGATIVE.

Beach	Conger	Cooley	Smith	VanSchoonhoven
Bristol				

6

On motion of Mr. Bennett, and by unanimous consent,

Resolved, That the Clerk be directed to continue to furnish Senators and officers with newspapers, and to pay postage on newspapers and documents sent or received by Senators or officers during the present session, in the same manner as directed at the last session.

On motion of Mr. Morgan, and by unanimous consent,

Resolved, That when the Senate adjourn, it will adjourn to meet at ten o'clock, A. M., to-morrow, and continue to meet daily at that hour until otherwise ordered.

Mr. Babcock moved the following amendment: "and will take a recess at fifteen minutes before two o'clock until four o'clock."

Debate was had thereon, when

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	VanSchoonhoven
Beach	Cornell	McElwain	Platt	Ward
Beckman	Huntington	Morgan	Smith	Williams
Clark	Jones	Munroe	Taber	Wright
Conger				

21

FOR THE NEGATIVE.

Bartlett	Bristol	Rogers	Saw	Vanderbilt
Bennett	Pierce			

7

The President then put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

Mr. McElwain moved the consideration of the concurrent resolution from the Assembly, in relation to the recess of the Legislature.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Pierce	Taber
Bristol	Huntington	McMurray	Rogers	VanSchoonhoven
Clark	Jones	Munroe	Snow	Wright
Conger	Kirby	Newcomb		18

FOR THE NEGATIVE.

Bartlett	Cooley	Otis	Smith	Vanderbilt
Beach	Davenport	Platt	Upham	Williams
Beekman	Morgan			12

Mr. Babcock offered the following amendment to the amendment previously offered by Mr. Cornell, to said resolution: "and that this session of the legislature shall terminate at twelve o'clock, at noon, the 31st day of May next."

Mr. Vanderbilt moved to lay the whole subject on the table.

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bennett	Morgan	Upham	Williams
Beekman	Cooley	Smith	Vanderbilt	Wright
				10

FOR THE NEGATIVE.

Babcock	Conger	Jones	Otis	Taber
Beach	Cornell	McElwain	Pierce	VanSchoonhoven
Bristol	Davenport	Munroe	Platt	Ward
Clark	Huntington	Newcomb	Rogers	19

The President announced the question to be on the amendment offered by Mr. Babcock.

Debate was had thereon, when

Mr. Cornell accepted the same.

Mr. Wright then offered the following amendment: "that no new matter shall be then considered or acted upon at the session, unless the Governor shall, by message, request the same."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative.

Mr. Cooley moved to take a recess until half-past seven o'clock, p. m.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Cooley	Kirby	Upham	VanSchoonhoven
Bennett	Huntington	Morgan	Vanderbilt	Wright
Bristol				21

FOR THE NEGATIVE.

Babcock	Conger	McMurray	Platt	Snow
Bartlett	Jones	Munroe	Rogers	Taber
Beekman	McElwain	Pierce	Smith	Williams
Clark				

16

The President announced the question to be on Mr. Conger's amendment as amended.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Pierce	Taber
Bennett	Davenport	McMurray	Platt	Vanderbilt
Clark	Huntington	Munroe	Rogers	Williams
Conger	Jones	Otis		

18

FOR THE NEGATIVE.

Bartlett	Bristol	Morgan	Snow	Van Schoonhoven
Beach	Cooley	Smith	Upham	Wright
Beekman	Kirby			

12

Mr. Pierce offered the following amendment to the amendment previously offered by Mr. Van Schoonhoven: "and the bills making appropriations for the canals which this day passed the Hon. the Assembly."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative.

Mr. Conger moved to amend the said amendment of Mr. Van Schoonhoven, as follows: "and the bills in relation to appropriations for State prisons."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President announced the question to be on the said amendment offered by Mr. Van Schoonhoven.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Van Schoonhoven		
----------	------------	-----------------	--	--

3

FOR THE NEGATIVE.

Babcock	Cooley	McMurray	Platt	Upham
Beach	Cornell	Morgan	Smith	Vanderbilt
Beekman	Jones	Munroe	Snow	Williams
Clark	Kirby	Newcomb	Taber	Wright
Conger	McElwain	Pierce		

23

The President announced the question to be on the concurrent Resolution from the Assembly, for a recess of the legislature as amended by the amendment of Mr. Cornell.

On motion of Mr. Conger, the word "house" in the said resolution from the Assembly, was stricken out, and the word "legislature" inserted in its stead.

Mr. McElwain moved to strike out "Wednesday, the 18th day of May," and insert "Tuesday, the 3d day of May."

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

McElwain

1

FOR THE NEGATIVE.

Babcock	Conger	Jones	Pierce	Taber
Beach	Cooley	Kirby	Platt	Upham
Beekman	Cornell	Morgan	Rogers	Vanderbilt
Bennett	Davenport	Monroe	Smith	Van Schoonhoven
Clark	Huntington	Otis	Snow	Williams

25

The President announced the question to be on agreeing to the resolution from the Assembly, as amended.

Mr. Cooley called for the ayes and noes.

The President put the question thereon.

On the Clerk calling the name of Mr. Williams, he arose and asked to be excused from voting.

The President put the question whether the Senate would agree to excuse Mr. Williams from voting, and it was decided, in the affirmative.

The roll being completed,

The President announced the decision of the question on the said concurrent resolution, to be in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Kirby	Monroe	Snow	Van Schoonhoven
Bristol				

6

FOR THE NEGATIVE.

Babcock	Cornell	McMurray	Pierce	Taber
Bartlett	Davenport	Morgan	Platt	Upham
Beekman	Huntington	Newcomb	Rogers	Vanderbilt
Bennett	Jones	Otis	Smith	Wright
Clark	McElwain			

23

Mr. McElwain moved that the Senate do now adjourn.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative as follows:

FOR THE AFFIRMATIVE.

Beach	Cooley	Kirby	Monroe	Van Schoonhoven
Bristol	Davenport	McElwain	Newcomb	Wright
Clark	Jones	McMurray	Otis	

24

FOR THE NEGATIVE.

Fabcock	Bennett	Morgan	Smith	Upham
Bartlett	Conger	Pierce	Snow	Vanderbilt
Beckman	Hospingtas	Platt	Taber	Williams

15

Mr. Vanderbilt moved that the Senate take a recess until 8 o'clock P. M.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

EIGHT O'CLOCK, P. M.

The Senate again met.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bills:

"An act to enable Alexander Seignette to convey real estate."

"An act to incorporate the trustees of the German Mission church and congregation of the city of Buffalo."

"An act to amend an act entitled 'An act to make a road district of the village of Elbridge, and concerning the payment of taxes therein,' passed April 11, 1851."

"An act to incorporate the Montague Park association in the city of Brooklyn."

"An act authorising the Canal Board to hear and determine the claim of Edward Murray."

"An act relative to disputed wills."

"An act to amend the act entitled 'An act to incorporate the Junction Canal Company,' passed May 11, 1846."

"An act to enable the supervisors of the city and county of New-York, to raise money by tax."

"An act to release the interest of the people of the State of New-York, to certain premises in Utica, Oneida county, to Jane Eliza De Klyn."

Ordered, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act appropriating moneys to the payment of canal debts and for other purposes."

Mr. Bartlett moved that the same be referred to the committee on canals, with instructions to report the same forthwith.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Davenport	Pierce	Snow
Bennett	Cornell	Jones	Smith	Williams

20

FOR THE NEGATIVE.

Babcock	Clark	Morgan	Platt	Vanderbilt
Beach	Cooley	Munroe	Taber	Van Schoonhoven
Beckman	Huntington	Newcomb	Upham	14

Said bill was then read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act appropriating money to the payment of interest on canal revenue certificates, and on the Oswego loan."

Mr. Pierce moved that said bill be referred to the committee on canals, with instructions to report the same forthwith.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Jones	Pierce	Williams
Conger	Davenport			7

FOR THE NEGATIVE.

Babcock	Clark	Morgan	Platt	Upham
Beach	Cooley	Munroe	Smith	Vanderbilt
Beckman	Huntington	Newcomb	Taber	Van Schoonhoven
				15

Said bill was then read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act appropriating moneys to the Canal Fund to be applied to the Erie canal enlargement, the Black River, the Genesee Valley, the Oswego, the Seneca and Cayuga, and Crooked Lake canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act relative to the toll gate on the Albion plank road."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Pierce	Taber
Bartlett	Cooley	Morgan	Platt	Upham
Beach	Davenport	Munroe	Smith	Vanderbilt
Bennett	Huntington	Newcomb	Shaw	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

Mr. Conger called for the consideration of the report of the select committee on the bill entitled "An act to amend an act entitled 'An act to incorporate the Williamsburgh water works company,' passed April 16, 1852."

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the affirmative.

Ordered, That said bill do have its third reading.

Mr. Beach gave notice that he would, at an early day, ask leave to introduce a bill to amend the charter of the Auburn female university.

Mr. Beach gave notice that he would, at an early day, ask leave to introduce a bill to authorize the Land Commissioners to hold certain lands in the town of Galen.

The President announced the order of third reading of bills.

Mr. Clark moved to lay said order of business on the table.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abbott	Conger	McElwain	Pierce	Upham
Beach	Davenport	Morgan	Platt	Vanderbilt
Bennett	Huntington	Newcomb	Taber	Williams
Clark				

16

FOR THE NEGATIVE.

Bartlett	Cornell	Rogers	Snow	Wright
Beckman	Jones	Smith	VanSchoonhoven	

9

Mr. Clark offered the following: That the Senate will immediately commence the third reading of bills; and each Senator may designate one bill to be first read, by sending the title thereof to the Clerk's desk.

Mr. Bennett offered the following amendment: they commence at the Senator from the 16th, and are taken up by Senators on the right and left, alternately.

Mr. Vanderbilt offered the following amendment:

Resolved, That the third reading of bills be taken up as follows: Two bills of a Senator, the first letter of whose surname is nearest the head of the alphabet to be taken up first; and that two bills of the Senator whose surname is last on the list be taken up; and that bills of the Senators whose names stand next from the top and bottom of the list be then taken up, and so on until all the Senators in that mode have had read two bills.

Mr. Conger moved to lay the whole subject on the table.

Mr. Clark called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Smith	Snow	VanSchoonhoven
----------	--------	-------	------	----------------

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Platt	Vanderbilt
Beach	Cooley	Morgan	Rogers	Williams
Beekman	Huntington	Newcomb	Taber	Wright
Bennett	Jones	Pierce	Upham	

Mr. Vanderbilt then withdrew his amendment.

Mr. Platt moved to lay the whole subject on the table.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Morgan	Platt	Smith	Snow
Conger				

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Pierce	Vanderbilt
Beach	Cooley	Newcomb	Taber	Williams
Beekman	Cornell	Rogers	Upham	Wright
Bennett				

The President then announced the question to be on the amendment offered by Mr. Bennett, and put the question thereon, and it was decided in the negative.

Mr. Pierce moved to amend so as to commence the reading of bills named by the Senator from the first district and proceeding in regular order of senatorial districts.

Mr. Platt moved that the Senate do now adjourn.

Mr. VanSchoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Munroe	Platt
Beekman	Jones	McMurray	Newcomb	VanSchoonhoven
Cornell				

FOR THE NEGATIVE.

Bartlett	Conger	Pierce	Snow	Vanderbilt
Beach	Cooley	Rogers	Taber	Williams
Bennett	Huntington	Smith	Upham	Wright
Clark	Morgan			

The President announced the question to be on the amendment offered by Mr. Pierce.

Mr. Platt moved that the Senate do now adjourn.

Mr. VanSchoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Newcomb	Rogers
Beckman	Cornell	McElwain	Platt	VanSchoonhoven
Bennett	Davenport	Munroe		13

FOR THE NEGATIVE.

Bartlett	Cooley	Pierce	Taber	Williams
Beach	Huntington	Smith	Upham	Wright
Clark	Morgan	Snow	Vanderbilt	14

Mr. Conger moved to lay the whole subject on the table.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Morgan	Platt	Vanderbilt
Beckman	Davenport	Munroe	Smith	VanSchoonhoven
Bennett	Jones	Newcomb	Snow	Williams
Conger	McMurray			17

FOR THE NEGATIVE.

Babcock	Cooley	McElwain	Rogers	Upham
Beach	Huntington	Pierce	Taber	Wright
Clark				1

Mr. McElwain moved that the Senate do now adjourn.

Mr. VanSchoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Munroe	Platt	VanSchoonhoven
Beach	Jones	Newcomb	Rogers	Wright
Beckman	McElwain			12

FOR THE NEGATIVE.

Bartlett	Conger	McMurray	Snow	Vanderbilt
Bennett	Cornell	Morgan	Taber	Williams
Clark	Davenport	Smith	Upham	14

Mr. Conger moved that the committee on finance be discharged from further consideration of the bill entitled "An act to provide for certain expenses of government," and that the Senate do now resolve itself into a committee of the whole thereon.

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	McMurray	Snow	Vanderbilt
Beauregard	Davenport	Pierce	Taber	VanSchoonhoven
Conger	Jones	Smith		13

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Newcomb	Upham
Beach	Cooley	Morgan	Platt	Williams
Beckman	Huntington	Munroe	Rogers	Wright
				15

On motion of Mr. Cooley the Senate adjourned until ten o'clock A. M., to-morrow.

FRIDAY, APRIL 15, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday and the day previous, was read and approved.

Mr. Morgan presented the memorial of John C. Green and other citizens of New-York, for a law restraining encroachments upon the waters of the East and North rivers, which was referred to the committee on commerce and navigation.

Mr. Munroe moved to take from the table the concurrent resolution from the Assembly, in relation to a recess of the Legislature.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on the said resolution as amended by the amendment of Mr. Cornell, and by the amendment of Mr. Babcock.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Conger	Huntington	Munroe	Otis
Clark	Cornell	Jones	Newcomb	Snow
				10

FOR THE NEGATIVE.

Babcock	Bennett	Morgan	Smith	Ward
Bartlett	Cooley	Platt	Taber	Wright
Beckman	Davenport	Rogers	Vanderbilt	14

Mr. Taber called for the consideration of the joint resolution from the Assembly, in relation to the appointment of a committee to examine the treasurer's and banking department accounts.

By unanimous consent,

The same was amended by striking out the words "on Tuesday next, April 12, 1853," and inserting the word "forthwith" instead.

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution and amendment to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the New-York State Agricultural College," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Taber
Beekman	Davenport	McMurray	Rogers	Vanderbilt
Bennett	Huntington	Morgan	Smith	Ward
Bristol	Jones	Newcomb	Snow	Wright
Clark	Kirby	Otis		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act in relation to plank roads," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Kirby	Otis	Snow
Beekman	Davenport	McElwain	Platt	Taber
Bennett	Huntington	Morgan	Rogers	Upham
Bristol	Jones	Newcomb	Smith	Williams
Conger				

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to release the Macedon and Bristol Plank Road Company from the obligation to construct a part of their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Platt	Upham
Bartlett	Conger	Kirby	Rogers	Vanderbilt

Beach	Cooley	McElwain	Smith	Williams
Beckman	Davenport	Morgan	Snow	Wright
Bennett	Huntington	Newcomb	Taber	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act in relation to the trustees of Cayuga academy, passed April 1, 1844," having been read a third time,

On motion of Mr. Beach, and by unanimous consent,

The same was amended by striking out in the first section, the words "by the then existing board of trustees," and inserting in place thereof, the words "by the contributors to the funds for building and maintaining the said academy to the amount of fifty dollars, and by the male parent and legally appointed guardians of pupils who have been instructed at said academy during some part of the year next proceeding said annual election; said election shall be held on the day specified by law, between the hours of ten and twelve, at the academy."

§ 2. All laws or parts of laws inconsistent with or repugnant to the provisions of this act, are hereby repealed.

§ 3. This act shall take effect immediately.

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Munroe	Rogers
Bartlett	Clark	Kirby	Newcomb	Smith
Beach	Davenport	McElwain	Otis	Snow
Beckman	Huntington	Morgan	Platt	Williams
Bennett				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

The Assembly bill entitled "An act relating to incorporated banks, banking associations and individual bankers located and doing business in the city of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Otis	Snow
Bartlett	Cooley	Munroe	Rogers	Upham
Beach	Jones	Newcomb	Smith	Wright
Beckman	Kirby			

17

FOR THE NEGATIVE.

Bristol	Williams
---------	----------

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to confirm the title of Dennis Ford to real estate, conveyed to him by John Hart," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Rogers	Upham
Berkman	Davenport	Munroe	Smith	Vanderbilt
Bristol	Huntington	Newcomb	Snow	Williams
Clark	Jones	Otis	Taber	Wright
Conger	Kirby			

22.

Ordered, That the Clerk return said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the relief of Salmon J. McMaster and Jacob F. Merritt," having been read a third time.

Mr. Platt moved that the same be recommitted to the judiciary committee, with instructions to strike out the enacting clause.

Debate was had thereon, when

Mr. Platt withdrew his said motion.

Mr. Beach moved to recommit the same to the judiciary committee.

By unanimous consent,

The said bill was then laid by for the present.

The bill entitled "An act to amend an act entitled 'An act further to amend an act to amend an act to amend and consolidate the several acts relating to the city of Rochester,' passed April 15, 1852," was received back from the Assembly, with a message informing that they had passed the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The Assembly bill entitled "An act to amend the act passed May 6, 1844, entitled 'An act to incorporate the village of Fayetteville,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	Munroe	Smith	VanSchoonhoven
Beach	Huntington	Newcomb	Snow	Ward
Bennett	Jones	Platt	Taber	Williams
Bristol	Kirby	Rogers	Vanderbilt	Wright
Conger	McElwain			

23

Ordered, That the clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the county treasurer of St. Lawrence county to retain a portion of the State tax of eighteen hundred and fifty two, for said county expenses," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Munroe	Rogers	Ward
Beach	Huntington	Newcomb	Smith	Williams
Bennett	Kirby	Otis	Snow	Wright
Bristol	McElwain	Platt	Upham	
				19

FOR THE NEGATIVE.

Conger	Jones	2
--------	-------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act authorizing the Dutchess county Agricultural Society, to hold real estate for the use of said society," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Pierce	Taber
Beach	Davenport	McElwain	Platt	Vanderbilt
Bennett	Huntington	Newcomb	Smith	Williams
Bristol	Jones	Otis	Snow	Wright
Conger				
				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act confirming a conveyance of real estate to Henrietta Fanny Courtin," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

Or
a me
amer
TJ
to re
time
T
to i
ma
in

Ba
Be
B
C

FOR THE AFFIRMATIVE.
Smith
Snow
Taber
Upham
Vanderbilt
VanSchoonhoven
Williams
Wright

23
The Clerk return said bill to the Assembly, with
a message informing that the Senate have passed the same without

entitled "An act to revise and consolidate
the laws relating to the village of Ithaca, in the county of
Tompkins." It has been read a third time,
and by unanimous consent, the
President read as follows: In title 2, section 16, insert
the words "first Tuesday of April," "first Tuesday of May." Title
2, section 2, in first line of 4th page, for engrossed bill, strike
the word "first," and insert the word "tenth;" also in last
line of the same, strike out the word "first" and insert the word "tenth."

The bill was again read.
The President put the question whether the Senate would agree
to the passage of said bill, and it was decided in the affirma-
tive by a majority of all the members elected to the Senate voting
in favor thereof, and three-fifths of said members being present,
as follows:

FOR THE AFFIRMATIVE.

Babcock
Beach
Bennett
Bristol
Clark

Conger	Kirby	Platt	Upham
Davenport	McElwain	Rogers	Vanderbilt
Huntington	Newcomb	Smith	Williams
Jones	Otis	Snow	Wright

21

Ordered, That the Clerk return said bill to the Assembly, with
a message informing that the Senate have passed the same without
amendment.

The Assembly bill entitled "An act to amend an act entitled
'An act to authorise the business of banking,'" having been read
a third time,

Mr. Munroe moved to recommit said bill to the committee of
the whole.

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree
to the motion of Mr. Munroe, and it was decided in the
negative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Davenport	Morgan	Vanderbilt	VanSchoonhoven
Cooley	Jones	Munroe		8

FOR THE NEGATIVE.

Babcock	Cornell	McMurray	Platt	Taber
Beach	Huntington	Newcomb	Rogers	Upham
Bennett	Kirby	Otis	Smith	Ward
Bristol	McElwain	Pierce	Snow	Wright

20

Mr. Munroe moved to recommit the said bill to the committee of the whole, with instructions to strike out as follows:

"Provided also, that the stocks and bonds thus issued, shall not be received by said superintendent, until the expiration of two years from the time such last mentioned stocks and bonds are issued."

Debate was had thereon, when

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Munroe	VanSchoonhoven	2
--------	----------------	---

FOR THE NEGATIVE.

Babcock	Bristol	Huntington	Otis	Upham	
Bartlett	Conger	Kirby	Platt	Ward	
Beach	Cooley	McElwain	Snow	Williams	
Bennett	Cornell	McMurray	Taber	Wright	20

By unanimous consent, the said bill was then read a third time,

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Upham
Bartlett	Cornell	McElwain	Rogers	VanSchoonhoven
Beach	Huntington	Newcomb	Snow	Ward
Bennett	Jones	Otis	Taber	Wright
Bristol				
				21

FOR THE NEGATIVE.

Beckman	Cooley	Morgan	Munroe	Vanderbilt	
Clark	Davenport				7

The Assembly bill entitled "An act relative to the Commercial Insurance Company, in the city of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Morgan	Rogers	VanSchoonhoven
Beckman	Jones	Newcomb	Snow	Ward
Bristol	Kirby	Otis	Upham	Williams
Clark	McMurray	Platt	Vanderbilt	Wright
Conger				
				21

FOR THE NEGATIVE.

Babcock

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Smith	Vanderbilt
Beach	Davenport	Munroe	Snow	VanSchoonhoven
Bennett	Huntington	Otis	Taber	Williams
Bristol	Jones	Platt	Upham	Wright
Conger	Kirby	Rogers		23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins," having been read a third time,

On motion of Mr. Williams. and by unanimous consent, the bill was amended as follows: In title 2, section 16, insert "fourth Tuesday of April," "first Tuesday of May." Title 2, section 3, in first line of 4th page, for engrossed bill, strike out the word "first," and insert the word "tenth;" also in last line strike out the word "first" and insert the word "tenth."

The said bill was again read.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Upham
Beach	Davenport	McElwain	Rogers	Vanderbilt
Bennett	Huntington	Newcomb	Smith	Williams
Bristol	Jones	Otis	Snow	Wright
Clark				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the business of banking,'" having been read a third time,

Mr. Munroe moved to recommit said bill to the committee of the whole.

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the motion of Mr. Munroe, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beckman	Davenport	Morgan	Vanderbilt	VanSchoonhoven
Cooley	Jones	Munroe		8

FOR THE NEGATIVE.

Babcock	Cornell	McMurray	Platt	Taber
Beach	Huntington	Newcomb	Rogers	Upham
Bennett	Kirby	Otis	Smith	Ward
Bristol	McElwain	Pierce	Snow	Wright
				20

Mr. Munroe moved to recommit the said bill to the committee of the whole, with instructions to strike out as follows:

"Provided also, that the stocks and bonds thus issued, shall not be received by said superintendent, until the expiration of two years from the time such last mentioned stocks and bonds are issued."

Debate was had thereon, when

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Munroe	VanSchoonhoven	2
--------	----------------	---

FOR THE NEGATIVE.

Babcock	Bristol	Huntington	Otis	Upham	
Bartlett	Conger	Kirby	Platt	Ward	
Beach	Cooley	McElwain	Snow	Williams	
Bennett	Cornell	McMurray	Taber	Wright	20

By unanimous consent, the said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Upham
Bartlett	Cornell	McElwain	Rogers	VanSchoonhoven
Beach	Huntington	Newcomb	Snow	Ward
Bennett	Jones	Otis	Taber	Wright
Bristol				
				21

FOR THE NEGATIVE.

Beekman	Cooley	Morgan	Munroe	Vanderbilt
Clark	Davenport			
				7

The Assembly bill entitled "An act relative to the Commercial Insurance Company, in the city of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Morgan	Rogers	VanSchoonhoven
Beekman	Jones	Newcomb	Snow	Ward
Bristol	Kirby	Otis	Upham	Williams
Clark	McMurray	Platt	Vanderbilt	Wright
Conger				
				21

FOR THE NEGATIVE.

Babcock

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message was received from the Assembly in the words following, to wit:

Resolved, (if the Senate concur,) that this Legislature will take a recess at 5 o'clock, P. M., this day, and meet on the 24th day of May next at 11 o'clock, A. M.

The President announced the question to be on agreeing to the said resolution.

Mr. Cooley raised a question of order that the said message being a concurrent resolution, lies on the table for one day under the rules.

The President decided that said point of order was not well taken, as such resolution required action to-day.

The President again announced the question to be on said resolution.

Debate was had thereon, when

Mr. Babcock offered the following: Strike out 24th, and insert 10th; and add to the end of the resolution these words: "and this Legislature will adjourn at 12 o'clock at noon, on the 18th day of May next."

Mr. McElwain called for a division of the question, and that the question be first taken on striking out.

Mr. Babcock called for the ayes and noes.

The President put the question on the first division, which was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Taber	Williams	8
Beekman	Kirby	Platt			

FOR THE NEGATIVE.

Bartlett	Conger	Davenport	Munroe	Snow	
Beach	Cooley	Huntington	Rogers	Vanderbilt	
Bristol	Cornell	McMurray	Smith	Ward	15

Mr. Babcock then withdrew the second division of said amendment offered by him.

Mr. Vanderbilt moved to amend said resolution by striking out ("five o'clock p. m. this day,") and inserting to-morrow at 11 o'clock a. m.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Huntington	Munroe	Snow	
Beach	Conger	Kirby	Newcomb	VanSchoonhoven	
Beaupre	Cornell	McElwain	Otis	Ward	
Bristol	Davenport	McMurray	Rogers	Williams	20

FOR THE NEGATIVE.

Sabcock	Jones	Pierce	Smith	Vanderbilt
Beekman	Morgan	Platt	Taber	Wright
Cooley				

11

By unanimous consent,

Mr. Pierce, from the committee on canals, to which was referred the Assembly bill entitled "An act appropriating monies to the payment of canal debts, and for other purposes," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Pierce, from the committee on canals, to which was referred the bill entitled "An act appropriating moneys to the canal fund, to be applied to the Erie canal enlargement, the Black river, the Genesee valley, the Oswego, the Seneca, and Cayuga and Crooked lake canals," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have their third reading.

Mr. Pierce, from the committee on canals, to which was referred "An act appropriating money to the payment of interest on canal revenue certificates, and on the Oswego loan," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

The Assembly bill entitled "An act to provide for the appraisal and payment of canal damages, sustained by Alexis Ward and Alexis Ward and Thomas Wilson," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beekman	Davenport	Newcomb	Rogers	Taber
Bennett	Huntington	Otis	Smith	Upham
Clark	Jones	Platt	Saow	Williams
Cornell	Kirby			

17

FOR THE NEGATIVE.

Munroe	Vanderbilt	Wright
--------	------------	--------

3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act incorporating the Sacketts harbor and Saratoga rail road company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beekman	Huntington	Morgan	Rogers	Vanderbilt
Bennett	Jones	Newcomb	Smith	Williams
Clark	Kirby	Otis	Snow	Wright
Davenport	McElwain	Platt	Upham	78

FOR THE NEGATIVE.

Pierce

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Cornell, and by unanimous consent,

Resolved, That the rule requiring a recess at a quarter to two o'clock p.m., be rescinded.

The Assembly bill entitled "An act appropriating money to the payment of interest on canal revenue certificates, and on the Oswego loan," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	Snow
Bartlett	Cornell	McElwain	Pierce	Taber
Beekman	Davenport	Morgan	Platt	VanSchoenhoven
Bennett	Huntington	Munroe	Rogers	Wright
Clark	Jones	Newcomb		23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act appropriating moneys to the canal fund, to be applied to the Erie canal enlargement, the Black river, the Genesee valley, the Oswego, the Seneca, and Cayuga and Crooked lake canals," having been read a third time.

Mr. Vanderbilt moved to recommit to the committee of the whole.

Debate was had thereon, when

Mr. Wright moved to lay said bill on the table.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Cooley	McElwain	Otis	Upham	VanSchoenhoven
Huntington	Newcomb	Taber	Vanderbilt	Wright
Kirby				11

FOR THE NEGATIVE.

Babcock	Cornell	McMurray	Rogers	Snow
Bartlett	Davenport	Pierce	Smith	Williams
Conger	Jones	Platt		16

The President announced the question to be on recommitting said bill to the committee of the whole.

Debate was had thereon, when

Mr. Van Schoonhoven moved to amend, so that the Senate go into committee of the whole on said bill, at a quarter past three o'clock p. m. to-day.

Mr. Pierce moved to amend, so that said bill be referred to the canal committee, with instructions to report the same forthwith complete.

Mr. President announced the question to be on referring to the committee of the whole.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	Morgan	Platt	VanSchoonhoven
Clark	Kirby	Newcomb	Upham	Williams
Conger	McElwain	Otis	Vanderbilt	Wright
Cooley				

16

FOR THE NEGATIVE.

Bartlett	Jones	Pierce	Rogers	Smith
Cornell				

6

By unanimous consent,

The said bill was made a special order for a quarter past three o'clock p. m.

On motion of Mr. Babcock, the Senate took a recess to three o'clock p. m.

THREE O'CLOCK, P. M.

The Senate again met.

The bill entitled "An act for the relief of the President and directors and first company of the Great Western turnpike road," was received back from the Assembly with notice of concurrence therein, without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled "An act to amend an act entitled 'An act to authorise the business of banking,' passed April 18, 1838," was received back from the Assembly with notice of concurrence in Senate amendment thereto.

Ordered, That the Clerk return said bill to the Assembly.

By unanimous consent,

The Assembly bill entitled "An act to incorporate the De Veaux College, for orphan and destitute children," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	McMurray	Platt	Upham	
Beach	Huntington	Morgan	Rogers	Williams	
Beekman	Jones	Munroe	Snow	Wright	
Clark	McElwain	Newcomb	Taber		19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. McMurray, brought in a bill entitled "An act providing for certain expenses of government," which was read the first time, and by unanimous consent was also read a second time.

By unanimous consent,

Said bill was then read a third time.

Mr. Wright moved to recommit, with instructions to make the bill conform to the printed bill on the file of Senators, for allowances to officers, &c.

Debate was had thereon, when

Mr. Wright withdrew his motion.

By unanimous consent,

The said bill was then read again a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	McMurray	Platt	Upham	
Beekman	Huntington	Morgan	Rogers	Vanderbilt	
Bennett	Jones	Munroe	Smith	VanSchoonhoven	
Cooley	Kirby	Newcomb	Snow	Williams	
Cornell	McElwain	Otis	Taber		24

FOR THE NEGATIVE.

Wright	1
--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The President announced the special order, it being the consideration of the bill entitled "An act appropriating moneys to the Canal Fund to be applied to the Erie canal enlargement, the Black River, the Genesee Valley, the Oswego, the Seneca and Cayuga and Crooked Lake canals."

Mr. Platt moved that the committee of the whole be discharged from said bill, and that the same be referred to the committee on canals.

Mr. Van Schoonhoven moved to suspend said special order.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

McElwain	Taber	Wright	3
----------	-------	--------	---

FOR THE NEGATIVE.

Babcock	Cornell	McMurray	Platt	Upham
Bartlett	Davenport	Morgan	Rogers	Vanderbilt
Beach	Huntington	Newcomb	Smith	VanSchoonhoven
Beekman	Jones	Otis	Snow	Williams
Cooley	Kirby	Pierce		23

The President announced the question to be on the motion of Mr. Platt, to refer to the canal committee.

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	McMurray	Platt	Smith
Conger	Jones	Pierce	Rogers	Snow
Cornell				11

FOR THE NEGATIVE.

Babcock	Cooley	Morgan	Otis	Vanderbilt
Beach	Huntington	Munroe	Taber	VanSchoonhoven
Beekman	Kirby	Newcomb	Upham	Wright
Bristol	McElwain			17

A message from the Assembly was received and read informing that they had passed without amendment, the following entitled bills :

"An act to provide for certain expenses of government."

"An act to authorise the board of supervisors of the county of Genesee, to borrow money and levy a tax for building a bridge across Allen's creek in the village of Le Roy."

"An act authorising the board of supervisors of Kings county, to raise money by loan to be applied in completion of the hospital and lunatic asylum on the county farm in said county."

"An act in relation to the Cayuga nation of Indians' annuity."

"An act to extend the time allowed Pierre Joseph De Caters and others, to hold and convey real estate."

"An act relative to savings banks, or institutions for savings in the city and county of New-York, and the county of Kings."

"An act to authorise the city of Buffalo to loan its bonds to the Buffalo and Pittsburgh railroad company."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit :

"An act to provide for certain expenses of government."

"An act in relation to school district number one, in the town of Seneca, in the county of Ontario."

"An act to authorise the board of supervisors of the county of Genesee, to borrow money and levy a tax for building a bridge across Allen's creek, in the village of Le Roy."

"An act to enable the supervisors of the city and county of New-York, to raise money by tax."

"An act authorising the Canal Board to hear and determine the claim of Edward Murray."

"An act to incorporate the Montague Park Association in the city of Brooklyn."

"An act to amend an act entitled 'An act further to amend and consolidate the several acts relating to the city of Rochester,' passed April 15, 1852."

"An act relative to disputed wills."

"An act to incorporate the trustees of the German mission church and congregation of the city of Buffalo."

"An act relative to the toll gate on the Albion plank road."

"An act to amend the act entitled 'An act to incorporate the Junction canal company,' passed May 11, 1846."

"An act to enable Alexander Seignette to convey real estate."

"An act to release the interest of the people of the State of New-York, to certain premises in Utica, Oneida county, to Jane Eliza De Klyn."

"An act to amend an act entitled 'An act to make a road district of the village of Elbridge, and concerning the payment of taxes therein,' passed April 11, 1851."

"An act for the relief of the president, directors and first company of the Great Western turnpike road."

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act appropriating moneys to the Canal Fund to be applied to the Erie canal enlargement, the Black river, the Genesee Valley, the Oswego, the Seneca and Cayuga and Crooked Lake canals."

And after some time spent thereon, the hour of five o'clock, p. m., having arrived, the President announced the following concurrent resolution from the Assembly:

Resolved (If the Senate concur,) That the hour of adjournment fixed in the concurrent resolutions, be postponed from five o'clock, p. m., to six o'clock, p. m.

Mr. Cornell moved that the Senate concur therein.

The President announced that the hour of five o'clock, p. m., having arrived, said motion could not be entertained without unanimous consent.

Mr. Wright objecting, the President announced a recess of the Senate until the 24th day of May next, at eleven o'clock, a. m.

TUESDAY, MAY 24, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

Upon calling the roll, the following members appeared and answered to their names :

Beach	Cooley	McElwain	Pierce	Vanderbilt
Bennett	Davenport	Morgan	Rogers	VanSchoonhoven
Bristol	Huntington	Monroe	Smith	Williams
Clark	Jones	Newcomb	Snow	Wright
Conger	Kirby	Otis	Taber	24

The journal of April 15th, was then read and approved.

Mr. Jones presented a petition of the commissioners of the alms house and other inhabitants of Newburgh, for a modification of the law for the better support of the poor thereof.

Mr. Jones gave notice that he would, to-morrow, ask leave to introduce a bill to amend the act for the better support of the poor in the town of Newburgh, by striking out the word "eight" before the word "thousand," and inserting "twelve" in the fourth subdivision of section one and making a like amendment in section two, of the said act.

Mr. Vanderbilt gave notice that he would ask leave to introduce a bill relative to a railroad in the town of New Utrecht and Gravesend, Kings county.

Mr. Huntington gave notice that he would, at an early day, ask leave to introduce a bill revising the Rome waterworks charter.

Mr. Clark gave notice that he would, at an early day, ask leave to introduce a bill to authorize railroad corporations to subscribe to the capital stock of the Sodus Point and Southern railroad company.

Mr. Wright gave notice that he would, at an early day, ask leave to introduce a bill to amend an act passed April 10, 1851, entitled "An act for the incorporation of building associations," &c.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed, the following entitled bill:

"An act to supply the city of Schenectady with water."

Ordered, That said bill do have its third reading.

The Assembly bill entitled "An act to authorize the Monticello and Wurtsboro plank road company to purchase from the Newburgh and Cohecton turnpike road company, a bridge across the Neversink river, and for other purposes," was read a third time,

By unanimous consent, the same was amended as follows: "the word 'last,' in next line to the last line of third section stricken out and the word 'second' inserted."

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Pierce	Taber
Bennett	Davenport	Morgan	Platt	Upham
Bristol	Huntington	Munroe	Rogers	VanSchoonhoven
Clark	Jones	Newcomb	Smith	Williams
Conger	Kirby	Otis	Snow	Wright 25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with an amendment.

The Assembly bill entitled "An act to amend the charter of Ovid, Seneca county," having been a read a third time,

On motion of Mr. Wright the same was laid upon the table.

The Assembly bill entitled "An act to change the name or title of the Kingsborough Congregational Church, to the Presbyterian Church of Kingsborough, Fulton county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Munroe	Smith	VanSchoonhoven
Beach	Jones	Newcomb	Snow	Williams
Bennett	Kirby	Platt	Taber	Wright
Clark	McElwain	Rogers	Upham	
Davenport				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act declaring the village of Adams a valid corporation, to enlarge its powers and to make said village a separate road district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Munroe	Smith	Vanderbilt
Beach	Jones	Newcomb	Snow	VanSchoonhoven
Clark	Kirby	Otis	Taber	Williams
Cooley	McElwain	Platt	Upham	Wright
Davenport	Morgan	Rogers		22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend the act incorporating the village of Schuylerville, and to extend its boundaries," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Platt	Upham
Beach	Davenport	Morgan	Rogers	Vanderbilt
Bennett	Huntington	Munroe	Smith	VanSchoonhoven
Bristol	Jones	Newcomb	Snow	Williams
Clark	Kirby	Otis	Taber	Wright 25

Ordered, That the clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act authorising the sale of the county poor house of Sullivan county, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Pierce	VanSchoonhoven
Bennett	Davenport	Newcomb	Rogers	Wright
Clark	Huntington	Otis		13

FOR THE NEGATIVE.

Babcock	Cooley	McElwain	Snow	Vanderbilt
Bristol	Kirby	Platt	Upham	Williams 10

Mr. Jones moved that said vote be reconsidered, and that such motion lay on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to establish an orphan asylum in the city of Auburn, under the following title: 'Auburn Orphan Asylum of the Holy Family,'" was read a third time.

On motion of Mr. Conger,

Said bill was laid upon the table.

The Assembly bill entitled "An act to amend an act entitled 'An act in relation to the public schools in the city of Syracuse,' passed April 11, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Taber
Bartlett	Coolley	McElwain	Rogers	Upham
Bennett	Davenport	Munroe	Smith	Vanderbilt
Bristol	Huntington	Newcomb	Snow	Williams
Clark	Jones	Otis		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled 'An act to amend an act entitled 'An act extending the boundaries and amending the charter of the village of Ogdensburgh,' passed June 20, 1851,' was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Platt	Taber
Bartlett	Huntington	Morgan	Rogers	Upham
Bennett	Jones	Munroe	Smith	Vanderbilt
Bristol	Kirby	Newcomb	Snow	Williams
Clark				

21.

Ordered, That the Clerk return said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act to authorize the town officers of Hyde Park, to purchase ground for a town cemetery," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Pierce	Taber
Bartlett	Coolley	Morgan	Platt	Vanderbilt
Bennett	Davenport	Munroe	Rogers	Williams
Bristol	Jones	Newcomb	Smith	Wright
Clark	Kirby	Otis	Snow	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the construction of a work house in the county of Monroe," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting

in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Rogers	Upham
Bartlett	Davenport	Morgan	Smith	Vanderbilt
Bennett	Huntington	Munroe	Snow	Williams
Bristol	Jones	Newcomb	Taber	Wright
Clark	Kirby			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

The present order of business was laid upon the table.

By unanimous consent,

Mr. Bartlett gave notice that he would, at an early day, introduce a bill amending some of the provisions of the general plank road law.

Mr. Pierce offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved (If the Assembly concur,) That this Legislature will adjourn sine die on Thursday, the 9th day of June next, at three o'clock p. m.

Ordered, That said resolution be laid on the table.

On motion of Mr. Wright,

Resolved, That the Commissioner having charge of the Champlain canal, be requested to report to this Senate as early as practicable, the amount of business done on said canal, so far as present returns will permit; and also the amount of tolls collected, and the comparative amount for the two preceding years; and further, if in his judgment any legislation is deemed necessary for repairs on said canal, and if so, its nature, amount and probable cost.

On motion of Mr. Snow,

The Senate adjourned to ten o'clock, a. m., to-morrow.

WEDNESDAY, MAY 25, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Babcock, presented a petition from W. S. Haight, for a law authorising the sale of a lot of land in Black Rock Erie county, which was referred to the committee on judiciary.

Mr. Jones, in pursuance of previous notice, asked for and obtained leave to bring in a bill entitled "An act to amend an act for the better support of the poor in the town of Newburgh," which was read a first time, and by unanimous consent was also read a second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Clark, in pursuance of previous notice, asked for and obtained leave to bring in a bill entitled "An act authorising any railroad company in this State, to subscribe to the capital stock of the Sodus Point and southern railroad company," which was read a first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

Mr. Huntington, in pursuance of previous notice, asked for and obtained leave to bring in a bill entitled "An act to revise and amend chapter ninety-six, of the laws of 1851, entitled 'An act to incorporate the Rome water works company,'" which was read a first time, and by unanimous consent was also read a second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Clark gave notice that he would at an early day, ask leave to introduce a bill to amend the act entitled "An act to authorise the laying out and opening of a public highway in the village of Canandaigua, county of Ontario."

Mr. Taber gave notice that he would at a future day ask leave to introduce a bill to amend the three hundred and seventh section of the code of procedure.

Mr. Platt gave notice that he would at an early day ask leave to introduce a bill to amend the common school law of the city of Oswego.

Mr. Babcock gave notice that he would ask leave at an early day to introduce a bill to amend section 3, of chapter 20, of session laws of 1837, in relation to unauthorized banking.

The Assembly bill entitled "An act to authorize the village of Oneida Castle, to be a separate road distinct," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Otis	Upham
Bartlett	Huntington	Morgan	Pierce	Vanderbilt
Bennett	Jones	Munroe	Platt	Williams
Conger	Kirby	Newcomb	Snow	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to fix a permanent line of piers for the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Munroe	Platt	Upham
Bennett	Huntington	Newcomb	Rogers	Vanderbilt
Clark	Kirby	Otis	Snow	Williams
Conger	McElwain	Pierce	Taber	Wright
Cooley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend chapter four hundred and sixty of the laws of 1847, entitled 'An act for the better regulation of the county and State prisons of the State, and consolidating and amending the existing laws in relation thereto,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Taber
Bartlett	Davenport	McElwain	Pierce	Upham
Bennett	Huntington	Munroe	Platt	Williams
Clark	Jones	Newcomb	Snow	Wright

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend the act entitled 'An act to incorporate the village of Saratoga Springs,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	Upham
Bartlett	Davenport	McElwain	Platt	Vanderbilt
Bristol	Huntington	Munroe	Smith	Williams
Clark	Jones	Newcomb	Snow	Wright
Conger				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the relief of George Kill," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative.

tive, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Platt	Taber
Bartlett	Davenport	Munroe	Rogers	Upham
Bristol	Huntington	Newcomb	Smith	Williams
Clark	Jones	Otis	Snow	Wright
Conger	Kirby			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment...

By unanimous consent,

Mr. Wright asked for and obtained leave to bring in a bill entitled "An act to amend an act entitled 'An act for the incorporation of building associations, mutual loan and accumulating fund associations,' passed April 10, 1851," was read the first time, and by unanimous consent was also read a second time, and referred to the committee on manufactures.

The Assembly bill entitled "An act to consolidate the several school districts, and parts of districts in the village of Pulaski, into one district, and provide for a school therein, and to amend the act entitled 'An act to incorporate the village of Pulaski, in the county of Oswego,' passed April 10, 1849," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Platt	Upham
Bartlett	Davenport	Morgan	Rogers	Vanderbilt
Bristol	Huntington	Munroe	Smith	Williams
Clark	Jones	Newcomb	Snow	Wright
Conger	Kirby	Otis	Taber	

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend the act entitled 'An act to incorporate the Waterville volunteer fire company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Snow
Bartlett	Davenport	Morgan	Platt	Upham
Beauregard	Huntington	Munroe	Rogers	Williams
Clark	Jones	Newcomb	Smith	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the relief of Aaron T. Hopkins, Henry Hewett, and Charles Russell, commissioners for the improvement of Rackett river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Platt	Upham
Bennett	Davenport	Morgan	Rogers	Vanderbilt
Bristol	Huntington	Munroe	Smith	Williams
Clark	Jones	Newcomb	Snow	Wright
Conger	Kirby	Otis	Taber	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to construct certain roads from the settlements in Lewis county to Brown's tract, in Herkimer county," was read a third time.

By unanimous consent,

The same was amended by adding to section six the following.

Any person owning lands in the town of Greig, not included in this act, may at any time during the continuance of this act, work out or cause to be worked out, all or any part of the highway tax assessed upon such land, under the direction of said commissioners on either of the roads named in this act, by giving notice thereof in writing to said commissioners. Said commissioners shall immediately notify the commissioners of highways of said town, or the overseers of highways having such assessment upon their warrant, and thereupon the commissioners appointed by this act shall become vested with all the powers, as to such lands, assessments and tax as are conferred by law upon overseers of highways, and commissioners of highways.

By unanimous consent,

The said bill was then recommitted to the committee on roads and bridges.

The Assembly bill entitled "An act for the relief of Harry Hall," having been read a third time.

Mr. Wright moved to recommit same to the committee on claims.

Debate was had thereon, when

Mr. Huntington called for the ayes and noes

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Pierce	Snow
Bartlett	Cooley	Morgan	Platt	Taber
Bristol	Davenport	Munroe	Rogers	Upham
Clark	Huntington	Newcomb	Smith	Van Schoonhoven

20

FOR THE NEGATIVE.

Bennett

1

The Assembly bill entitled "An act to repeal sections nine, eleven, thirteen, fourteen, and part of section 10, and section 15, of title four, part one, chapter thirteen of the revised statutes, entitled regulations concerning the assessment of taxes on incorporated companies, and the commutation thereof," was read a third time.

On motion of Mr. Vanderbilt, it was referred to the committee of the whole for further consideration.

The Assembly bill entitled "An act to divide the eighteenth ward of the city of New-York into two wards," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Upham
Bartlett	Cooley	McElwain	Rogers	Vanderbilt
Bennett	Davenport	Morgan	Smith	Van Schoonhoven
Bristol	Huntington	Munroe	Snow	Williams
Clark	Jones	Newcomb	Taber	Wright

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act to authorize the formation of corporations for manufacturing, mining, mechanical and chemical purposes, passed February 17, 1848," was read a third time.

On motion of Mr. Taber, it was recommitted to the committee on manufactures.

The Assembly bill entitled "An act to amend the act to incorporate the Rochester water works company, passed April 16, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Newcomb	Upham
Bartlett	Cooley	McElwain	Platt	Vanderbilt
Bennett	Huntington	Morgan	Rogers	Williams
Bristol	Jones	Munroe	Snow	Wright
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for rebuilding a bridge across the Canandaigua outlet, at the village of Alloyd, in the town of Lyons, Wayne county, and for raising money for that purpose, by tax upon said town," was read a third time.

On motion of Mr. Conger, it was recommitted, with instructions to enquire and report whether the objects sought to be attained by the bill cannot be accomplished under the provisions of the Revised Statutes.

The Assembly bill entitled "An act to amend the act entitled 'An act to amend the charter of the village of Elmira, in the county of Chemung, passed April 6th, 1850,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Morgan	Platt	Upham
Bartlett	Jones	Munroe	Rogers	Vanderbilt
Clark	Kirby	Newcomb	Snow	Williams
Conger	McElwain	Otis	Taber	Wright
Cooley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act further to amend an act entitled 'An act to amend the act incorporating the East River Mutual Insurance Company, and to change its name, passed March 18th, 1848,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Huntington	Morgan	Platt	Upham
Bartlett	Jones	Munroe	Rogers	Vanderbilt
Conger	Kirby	Newcomb	Snow	VanSchoonhoven
Davenport	McElwain	Pierce	Taber	Wright

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act in relation to the Utica Academy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	Morgan	Platt	Upham
Bartlett	Jones	Munroe	Rogers	Vanderbilt
Clark	Kirby	Newcomb	Snow	Williams
Conger	McElwain	Otis	Taber	Wright

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to supply the village of Fort Ann in the county of Washington with pure and wholesome water," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Otis	Taber
Bartlett	Huntington	Morgan	Platt	Upham
Clark	Jones	Munroe	Rogers	Williams
Conger	Kirby	Newcomb	Snow	Wright

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Jones, and by unanimous consent, the Assembly bill entitled "An act to authorise the sale of the county poor house of Sullivan county, and for other purposes," was taken from the table.

Mr. President announced the question to be on the motion of Mr. Jones for the reconsideration of the vote on said bill.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent the said bill was then amended by striking out the 4th section.

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	Morgan	Pierce	Taber
Bartlett	Huntington	Munroe	Platt	Upham
Fenibett	Jones	Newcomb	Rogers	Vanderbilt
Clark	Kirby	Otis	Snow	Williams
Conger	McElwain			

22

The bill entitled "An act to authorize the Monticello and Wurtsboro plank road company to purchase from the Newburgh and Cohecton turnpike road company a bridge across the Never-sink river, and for other purposes," was received back from the Assembly, with notice of concurrence in amendments of the Senate thereto.

Ordered, That the Clerk return said bill to the Assembly.

Mr. Babcock moved that the present order of business be laid upon the table.

Mr. Huntington called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Otis	Taber	
Clark	Jones	Munroe	Pierce	Upham	
Conger	Kirby	Newcomb	Platt		15

FOR THE NEGATIVE.

Bartlett	Morgan	Snow	Vanderbilt	Williams	
Huntington	Rogers				7

Mr. Pierce called up the concurrent resolution offered by him yesterday, in relation to the adjournment of legislature.

Mr. Conger moved to amend by striking out three o'clock, p.m., and inserting twelve o'clock m. in said resolution.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

Mr. Van Schoonhoven moved to amend, by striking out "Thursday the 9th," and inserting Tuesday the 7th in said resolution.

Mr. Pierce accepted of said amendment.

Debate was had thereon, when

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Munroe	Rogers	Vanderbilt	
Bartlett	Davenport	Newcomb	Smith	VanSchoonhoven	
Bennett	Kirby	Otis	Snow	Williams	
Clark	McElwain	Pierce	Taber	Wright	
Conger	Morgan	Platt	Upham		24

FOR THE NEGATIVE.

Huntington	Jones				2
------------	-------	--	--	--	---

Mr. Pierce offered the following for consideration of the Senate.

Resolved, That the bills entitled "An act appropriating moneys to the canal fund, to be applied to the Erie canal enlargement, the Black river, the Genesee valley, the Oswego, the Seneca and Cayuga and Crooked Lake canals."

"An act appropriating moneys to the payment of canal debts and for other purposes," be referred to the committee of the whole and printed.

Debate was had thereon, when

At a quarter to two o'clock, p. m., the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The President announced the question to be on the resolution of Mr. Pierce, offered before the recess.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Mr. Vanderbilt offered the following:

"Whereas, in the opinion and judgment of this Senate, the State ought to pay interest on the canal revenue certificates, the proceeds of which they have received into the treasury ;"

Resolved, That the canal committee be instructed to report and bring in a bill to provide for the payment of the interest on the canal revenue certificates.

Ordered, That said resolution be laid on the table.

The Senate then resolved itself into a committee of the whole, on the following entitled bills :

"An act for the improvement of the navigation of the big Chazy river."

"An act to repeal sections 9, 11, 13, 14, and part of section 10, and section 15 of title 4, part 1, chapter 13, of the Revised Statutes, entitled 'regulations concerning the assessments of taxes on incorporated companies, and the commutation thereof,' and after some time spent thereon,

Mr. Wright, from said committee, reported that the committee had gone through and agreed to the above first mentioned bill with amendments, which report was agreed to, and said bill was ordered to a third reading.

Mr. Wright, from the same committee, reported that the committee had made some progress in the second above mentioned bill, and asked and obtained leave to sit again.

On motion of Mr. Conger

Resolved, That Assembly bills No. 123 and 199, be made the special order for Friday at 4 o'clock, P. M., and that the latter be printed.

On motion of Mr. Cooley the Senate adjourned until 10 o'clock, A. M., to-morrow.

THURSDAY, MAY 26, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Campbell.

The journal of yesterday was read and approved.

Mr. Clark presented a petition from the trustees of the Palmyra Union School, to be placed under the care of the Regents and to participate in the benefits of the literature fund, which was referred to the committee on literature.

Mr. Babcock presented a remonstrance from David Tomlinson against the passage of the bill for taxing leases for school and highway purposes, which was laid on the table.

Mr. Cooley presented a memorial from Jacob A. Westervelt, mayor of New-York city and others, for the repeal of the act entitled "An act for the protection of emigrant passengers, passed April 13, 1853," which was referred to a select committee from the 1st, 4th, 5th and 6th Senate districts.

Mr. Beekman presented a petition from David Tomlinson for relief from illegal taxes, &c, which was laid on the table.

Mr. Morgan presented a memorial from Peter Cooper and others, for the passage of a law to authorise the New-York Juvenile Asylum corporation, to purchase land for building, &c., which was referred to the committee on charitable and religious societies.

Mr. Otis, from the committee on manufactures, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of building associations, mutual loan and accumulating fund associations, passed April 10, 1851,'" reported the same for the consideration of the Senate, and it was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act authorising any railroad company in this State to subscribe to the capital stock of the Sodus Point and Southern railroad company," reported in favor of the passage of the same, which was committed to the committee of the whole.

Mr. Munroe gave notice that he would, at an early day, ask leave to introduce a bill to extend the time in which academies are required to make returns for instructing common school teachers for the year 1853, to the 1st January, 1854, and to provide payment for instruction.

Mr. McElwain gave notice that he would, at an early day, ask leave to introduce a bill in relation to the fencing of railroads, &c.

In pursuance of previous notice,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act to authorize the construction of a railroad in

the towns of New Utrecht and Gravesend in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on rail-roads.

In pursuance of previous notice,

Mr. Babcock asked for and obtained leave to introduce a bill entitled "An act to amend chapter twenty of the laws of 1837," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

By unanimous consent,

Mr. Bennett asked for and obtained leave to introduce a bill entitled "An act to amend an act passed April 15th, 1853, entitled 'An act in relation to plank roads,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Snow asked for and obtained leave to introduce a bill entitled "An act to extend for a limited period the charter of the Montgomery Mutual Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

The Assembly bill entitled "An act to incorporate the Sixpenny savings bank of the city of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beckman	Cooley	McElwain	Otis	Taber	
Bennett	Huntington	Morgan	Rogers	Williams	
Clark	Jones	Munroe	Snow	Wright	
Conger	Kirby				17

FOR THE NEGATIVE.

Babcock	Davenport	Pierce	Vanderbilt	VanSchoonhoven	
Cornell					6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to enlarge the powers of the trustees of the village of Holley, respecting highways," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Oth	Vanderbilt
Beekman	Cooley	McElwain	Snow	Williams
Bennett	Cornell	Morgan	Taber	Wright
Clark	Davenport	Munroe		

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bill:

"An act to amend the act entitled 'An act for the better support of the poor in the town of Newburgh, in the county of Orange,' passed March 23, 1853."

Ordered, That said bill do have its third reading.

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Morgan	Smith
Bartlett	Cooley	Jones	Munroe	Snow
Beekman	Cornell	Kirby	Otis	Upham
Bennett	Davenport	McElwain	Pierce	Vanderbilt
Clark				

21

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for assessing the expense of establishing grade lines in the seventh, eighth, and tenth wards in the city of Brooklyn,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Morgan	Smith
Bartlett	Conger	Jones	Munroe	Snow
Beekman	Cornell	Kirby	Otis	Vanderbilt
Bennett	Davenport	McElwain	Pierce	Williams

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the commissioners of highways of the town of Wilna, to lay out a road less than three rods wide," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative.

tive, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Kirby	Otis	Snow
Beckman	Cornell	Morgan	Platt	Vanderbilt
Bennett	Davenport	Monroe	Smith	Williams
Clark	Huntington			

17

FOR THE NEGATIVE.

Babcock	Conger	Jones	Pierce	4
---------	--------	-------	--------	---

Mr. Cornell moved to reconsider the vote just taken, and that said motion be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act in relation to the salaries of the keepers and guards of the several State prisons," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bennett	Jones	Pierce	Snow
Beckman	Conger	Otis	Smith	Vanderbilt

10

FOR THE NEGATIVE.

Babcock	Cornell	Kirby	Monroe	Williams
Clark	Davenport	McElwain	Platt	Wright
Cooley	Huntington	Morgan	Upham	

14

Mr. Conger moved to reconsider said vote, and that said motion lay on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to enable the Salmon River Plank Road Company to sell parts of their road to the Pulaski and Selkirk Plank Road Company, and to abandon and discontinue a portion of their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	Kirby	Platt	Upham
Beckman	Davenport	McElwain	Smith	Vanderbilt
Bennett	Huntington	Morgan	Snow	Williams
Clark	Jones	Monroe	Taber	Wright
Cooley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the preservation of fish in all the streams of water in the State," was read a third time.

On motion of Mr. Williams,

Said bill was recommitted to the committee on the internal affairs of towns and counties, with power to report the same complete.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate to the following entitled bills:

"An act to amend an act in relation to the trustees of the Cayuga academy, passed April 1, 1844."

"An act to amend the act to incorporate the Rochester water works company, passed April 16, 1852."

Ordered, That the Clerk return said bills to the Assembly.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bill:

"An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins."

On motion of Mr. Williams, and by unanimous consent,

Said bill was then amended in several respects.

The said bill as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	Upham
Beekman	Cornell	McElwain	Platt	Vanderbilt
Bennett	Davenport	Morgan	Rogers	Williams
Clark	Huntington	Munroe	Snow	Wright
Conger	Jones			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

The Assembly bill entitled "An act to authorize the construction and maintenance of bridges over the Erie canal in the city of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Munroe	Snow
Barflett	Cooley	Kirby	Otis	Taber

Beekman	Cornell	McElwain	Pierce	Upham	
Clark	Davenport	Morgan	Platt	Vanderbilt	20

FOR THE NEGATIVE.

Jones	Wright	2
-------	--------	---

Ordered, That the clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the construction and maintenance of bridges over the Erie canal in the city of Syracuse," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	Upham	
Bartlett	Cornell	McElwain	Platt	Vanderbilt	
Beekman	Davenport	Morgan	Snow	Williams	
Clark	Huntington	Munroe	Taber		19

FOR THE NEGATIVE.

Jones	Smith	2
-------	-------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act for the appraisalment of canal damages of the commissioners of highways of the town of Canajoharie," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Taber	
Bartlett	Cooley	Kirby	Otis	Upham	
Beekman	Davenport	McElwain	Smith	Vanderbilt	
Bennett	Huntington	Morgan	Snow	Williams	20

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to release the interest of the State in certain real estate in the city of Rochester, of which the late John Simons, jr., died seised to Janet Simons, his mother, an alien," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooly	Kirby	Otis	Taber
Beekman	Cornell	McElwain	Pierce	Upham
Bennett	Davenport	Morgan	Smith	Vanderbilt
Clark	Huntington	Munroe	Snow	Williams
Conger	Jones			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the canal board to hear and determine the claims of Edward Murray," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Kirby	Snow	VanSchoonhoven
Beekman	Davenport	Otis	Taber	Williams
Bennett	Huntington	Pierce	Upham	Wright
Clark	Jones	Rogers		

19

FOR THE NEGATIVE.

Babcock	McElwain	Smith	Vanderbilt
---------	----------	-------	------------

4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise a tax for police expenses in the 8th and 9th wards in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	Kirby	Platt	Taber
Bartlett	Davenport	McElwain	Rogers	Upham
Beekman	Huntington	Munroe	Smith	Vanderbilt
Bennett	Jones	Pierce	Snow	Williams
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the city of Oswego to take stock in railroads and to sell its bonds to provide for the payment thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirma-

tive, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Rogers	Taber
Beckman	Huntington	Munroe	Smith	Upham
Bennett	Jones	Otis	Snow	Wright
Clark	Kirby	Platt		

18

FOR THE NEGATIVE.

Vanderbilt Williams

2

Ordered, That the Clerk return said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the town of North Dansville to borrow money to aid in the construction of a railroad through said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Rogers	Upham
Beckman	Huntington	Munroe	Snow	VanSchoonhoven
Bennett	Jones	Otis	Taber	Wright
Clark	Kirby	Platt		

18

FOR THE NEGATIVE.

Conger Smith Vanderbilt Williams

4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the president and trustees of the village of Rome, to subscribe and pay for stock in a corporation organized or to be organized for the construction of a railroad from the river St. Lawrence, through the county of Lewis to the village of Rome," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	Otis	Snow	Vanderbilt
Bennett	Huntington	Platt	Taber	VanSchoonhoven
Clark	Kirby	Rogers	Upham	Wright
Cooksey	McElwain			

17

FOR THE NEGATIVE.

Conger

Cornell

Smith

Williams

4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the city of Utica to take stock in the Black river and Utica railroad and to sell its bonds to provide for the payment thereof," was read a third time, when

Mr. Conger moved that the same be recommitted to the committee on railroads, with instructions to strike out the enacting clause.

Debate was had thereon, when

On motion of Mr. Babcock, the Senate adjourned until ten o'clock, a. m. to-morrow.

FRIDAY, MAY 27, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Doran.

The journal of yesterday was read and approved.

Mr. Otis presented a petition from Eliza L. T. Lansing, which was referred to the committee on judiciary.

Mr. Davenport presented a remonstrance of sundry inhabitants of Lewis county, against the passage of a bill for the improvement of Moose river and Swamp Creek, which was committed to the committee of the whole.

Mr. Huntington presented a petition from the directors of Rome and Madison plank road company, for the passage of a bill for laying out highway work on plank roads by residents thereon, which was referred to the committee on roads and bridges.

Mr. Morgan presented a memorial from 8,721 residents of the city of New-York, for the passage of a bill converting property known as "Jones Wood," into a public park, which was referred to a select committee

Mr. Morgan presented a memorial from the members of the bar of the city of New-York, asking for the passage of a law providing for immediate publication of indexes to the public records and printing dockets of liens, which was referred to a select committee.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to change the name of Frederick Witteram to Frederick George Kreuder," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the better security of mechanics and others erecting buildings, and furnishing materials therefor, in the county of Seneca," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act passed April 14, 1852, entitled 'An act in relation to the partition of lands,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to debts contracted by women before marriage," reported in favor of the passage of same with amendments, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act authorising the appointment of commissioner of deeds for the town of Huntington, Suffolk county," reported adversely.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorise the county judge of the county of Washington, to appoint a crier of the courts of record, to be held in said county," reported adversely.

The President put the question whether the Senate would agree to the said report, and it was decided in the negative.

Mr. Wright moved that said bill be now ordered to a third reading, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol	Cornell	Otis	Snow	Wright	
Clark	Huntington	Rogers	Upham		9

FOR THE NEGATIVE.

Babcock	Conger	Jones	McElwain	Vanderbilt	
Bartlett	Davenport	Kirby	Platt	Williams	10

Ordered, That said bill be committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act authorising the appointment of commissioners of deeds for the village of Saratoga," reported adversely.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act relating to the

compensation of Justices of the Peace, in criminal cases," reported adversely.

The President put the question whether the Senate would agree to the said report, and it was decided in affirmative.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend article third, chapter fifth, part second, title first, of the Revised Statutes of the State of New-York, entitled 'Of voluntary assignments made pursuant to the application of an insolvent and his creditors,'" reported adversely.

Mr. Conger moved to lay the question of agreeing to report of committee on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to increase the capital stock of the Myrtle Avenue and Jamaica plank road company," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Otis, from the committee on manufactures, to which was referred the Assembly bill entitled "An act to amend an act to authorise the formation of corporations for manufacturing, mining, mechanical, and chemical purposes, passed February 17, 1848," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Babcock, from the committee on the judiciary, to which was referred the petition of W. S. Haight, for a law authorising the sale of a lot, &c., reported, and asked for and obtained leave to bring in a bill entitled "An act authorising the sale of lands belonging to the State, in the Niagara river reservation," which was read a first time, and was also read a second time, and committed to the committee of the whole.

Mr. Clark, from the committee on engrossed bills, reported the following entitled bills as correctly engrossed :

"An act to amend the laws relating to the equalization of the assessments, and the correction of the assessment rolls, by the board of supervisors."

"An act to authorise Levi S. Backus, to distribute one hundred and fifty copies of a new paper called the Radli, to educated deaf mutes, and to provide compensation for the same."

"An act to revise and amend chapter 96, Laws of 1851, entitled 'An act to incorporate the Rome water works company.'"

Ordered, That said bills do have their third reading.

By unanimous consent,

Mr. Conger asked for and obtained leave to introduce a bill entitled "An act to incorporate the Sing Sing water works company," which was read a first time, and by unanimous consent, was also read a second time, and committed to the committee on the incorporation of cities and villages.

Mr. McElwain, in pursuance of previous notice, asked for and

obtained leave to bring in a bill entitled "An act relating to the fencing of railroads, to prevent persons from permitting cattle or other animals to run at large thereon," which was read a first time, and by unanimous consent was also read a second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Clark asked for and obtained leave to introduce a bill entitled "An act in relation to highway labor on the Macedon and Bristol plank road," which was read a first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

By unanimous consent,

Mr. Beekman asked for and obtained leave to bring in a bill entitled "An act ceding jurisdiction to the United States over lands, to be occupied as sites of light houses and keepers' dwellings within this State," which was read a first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Otis asked for and obtained leave to introduce a bill entitled "An act for the relief of the parties interested in certain lands devised by Smith Thompson, deceased," which was read a first time, and by unanimous consent was also read a second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, with power to report complete.

Mr. Bartlett, in pursuance of previous notice, asked for and obtained leave to introduce a bill entitled "An act to amend section nine, of chapter 250 of the laws of 1849," which was read a first time, and by unanimous consent was also read a second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, with power to report complete.

Mr. Munroe, in pursuance of previous notice, asked for and obtained leave to introduce a bill entitled "An act appropriating the revenues of the literature and United States deposit funds," which was read a first time, and by unanimous consent was also read a second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on literature, with power to report complete.

The President announced the order of third reading of bills, and that the question before the Senate was the motion to recommit the bill entitled "An act to authorise the city of Utica to take stock in the Black river and Utica railroad, and to sell its bonds to provide for the payment thereof," with instructions to strike out enacting clause.

Debate was had thereon, when
Mr. Conger withdrew his said motion.

By unanimous consent,

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Rogers	Upham
Beekman	Davenport	Otis	Snow	Van Schoonhoven
Bristol	Huntington	Platt	Taber	Wright
Clark	Kirby			

17

FOR THE NEGATIVE.

Conger	Cornell	Jones	Vanderbilt
--------	---------	-------	------------

4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend the several acts relating to the village of Geneseo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Platt	Taber
Beekman	Cornell	McElwain	Rogers	Upham
Bristol	Davenport	Morgan	Smith	Williams
Clark	Huntington	Otis	Snow	Wright
Conger	Jones			

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend the several acts incorporating the village of Elmira, in the county of Chemung, passed April 6th, 1850," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Jones	Otis	Snow
Beekman	Cornell	Kirby	Platt	Taber
Bristol	Davenport	McElwain	Rogers	Upham
Clark	Huntington	Morgan	Smith	Williams
Conger				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to legalize the official acts of Stephen T. Bostwick, a Justice of the Peace, and to authorise him to take the oath of office, required by law," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Platt	Taber
Bartlett	Huntington	Morgan	Rogers	VanSchoonhoven
Beekman	Jones	Otis	Smith	Williams
Bristol	Kirby	Pierce	Seaw	Wright
Cooley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to exempt the assay office of the United States, in the city of New-York, from assessments or tax," was read a third time, when

On motion of Mr. Babcock, and by unanimous consent, it was amended as follows, at the end of section one: But nothing in this act contained shall be construed to prevent the assessment or taxation of persons or corporations, or property that may be deposited in such assay office.

Mr. Van Schoonhoven moved to refer the said bill to the select committee, with power to report the same complete.

Mr. Taber called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Kirby	Munroe	Williams
Bristol	Cornell	McElwain	Rogers	Wright
Clark	Davenport	Morgan	VanSchoonhoven	

14

FOR THE NEGATIVE.

Babcock	Conger	Platt	Taber	Vanderbilt
Beekman	Huntington	Snow		

8

The President appointed Messrs. Van Schoonhoven, Morgan and Beekman, as such committee.

A message was received from the Assembly, informing that they had concurred in the following entitled bills:

"An act to amend the act passed May 6, 1844, entitled 'An act to incorporate the village of Fayetteville.'"

"An act to release the Macedon and Bristol plank road company from the obligation to construct a part of their road."

"An act authorising the sale of the county poor house of Sullivan county, and for other purposes."

Ordered, That the Clerk return said bills to the Assembly.

Mr. Cornell withdrew his motion to reconsider the vote on the final passage of the bill entitled "An act to authorise the commissioners of highways of the town of Wilna to lay out a road less than three rods wide," which was, by unanimous consent, laid on the table.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to enable the children of Cecelia de Nottbeck to take and hold real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Pierce	Taber	
Bartlett	Davenport	Morgan	Platt	Vanderbilt	
Beckman	Huntington	Munroe	Rogers	Williams	
Clerk	Kirby	Otis	Snow	Wright	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to confirm the election of village officers, in the village of Churchville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	Morgan	Platt	Vanderbilt	
Bartlett	Huntington	Munroe	Rogers	Williams	
Beckman	Kirby	Otis	Snow	Wright	
Conger	McElwain	Pierce	Taber		19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to facilitate the forming of Agricultural and Horticultural societies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Pierce	Taber	
Bristol	Huntington	Morgan	Platt	Upham	
Clark	Jones	Munroe	Rogers	Vanderbilt	
Conger	Kirby	Otis	Snow	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the New-York Academy of Medicine, passed June 23, 1851,'" was read a third time when, by unanimous consent, the said bill was amended as follows: § 2. This act shall take effect immediately.

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Otis	Rogers	Vanderbilt
Bristol	Kirby	Pierce	Snow	Williams
Conger	McElwain	Platt	Upham	Wright
Cooley	Morgan			

17

FOR THE NEGATIVE.

Jones

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Broadway Savings Institution in the city of New-York, passed June 20, 1851,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Platt	Upham
Bristol	Huntington	Morgan	Rogers	Vanderbilt
Clark	Jones	Otis	Snow	Williams
Conger	Kirby			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to declare the village of Churchville a separate road district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Platt	Vanderbilt
Bartlett	Cooley	McElwain	Snow	Williams
Beekman	Huntington	Morgan	Upham	Wright
Bristol	Jones	Otis		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate medical societies for the purpose of regulating the practice of physic and surgery in this State, passed April 10, 1813,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Snow	Williams
Beekman	Huntington	Otis	Upham	Wright
Bristol	Kirby	Pierce		

18

FOR THE NEGATIVE.

Jones

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorise a part of the records of the counties of Ontario and Steuben, to be transcribed and deposited in the county of Yates,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Otis	Upham
Beekman	Cooley	McElwain	Platt	Williams
Bristol	Huntington	Morgan	Snow	Wright
Clark	Jones	Munroe		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend the act incorporating the village of Dansville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Platt	Vanderbilt
Beekman	Cornell	Morgan	Rogers	VanSchoonhoven
Bristol	Davenport	Munroe	Taber	Williams
Clark	Huntington	Otis	Upham	Wright
Conger	Kirby			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to repeal an act entitled 'An act to prevent fraudulent, fictitious, or pretended sales at auctions,' passed May 8, 1847," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Morgan	Rogers	Vanderbilt
Beekman	Huntington	Munroe	Snow	Williams
Bristol	Jones	Otis	Taber	Wright
Conger	Kirby	Platt		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to change the title of the Owego Congregational Society," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Platt	Taber
Beekman	Huntington	Morgan	Rogers	Vanderbilt
Bristol	Jones	Munroe	Snow	Williams
Cooley	Kirby	Otis		

18

FOR THE NEGATIVE.

Wright	1
--------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Munroe gave notice that he would, at an early day, ask leave to introduce a bill to authorise the trustees of Munroe academy, to sell a portion of their real estate.

On motion of Mr. Upham, and by unanimous consent,

Resolved, That the papers on the files of the Senate relating to the claim of John W. Curren, be taken from the files and referred to the committee on grievances.

On motion of Mr. Morgan, and by unanimous consent,

Resolved, That Assembly bill, No. 278, in relation to the incorporation of fire insurance companies, be printed.

By unanimous consent,

Mr. Beekman, gave notice that he would, at an early day, ask leave to introduce a bill entitled "An act to amend chapter 270, of the Laws of 1850, to authorise the appointment of commission-

ers to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other states and territories."

By unanimous consent,

Mr. Taber presented the petition of Job Lea, an alien, for authority to take and hold real estate, which was referred to the committee on the judiciary.

By unanimous consent,

Mr. Rogers asked for and obtained leave to introduce a bill entitled "An act to change the time for the election of directors of railroad corporations," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Cooley asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act relative to savings banks,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

The Assembly bill entitled "An act to increase the capital stock of the Myrtle Avenue and Jamaica Plank Road Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	Morgan	Platt	Upham
Beekman	Jones	Munroe	Rogers	Vanderbilt
Clark	Kirby	Otis	Snow	Williams
Cooley	McElwain	Pierce	Taber	Wright
Davenport				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the relief of William E. Hermance and the heirs of John Vanderpool," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	Taber
Bartlett	Davenport	McElwain	Platt	Upham
Beekman	Huntington	McMurray	Rogers	Vanderbilt
Conger	Jones	Morgan	Snow	Williams

20

FOR THE NEGATIVE.

Wright

1

Ordered, That the clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act authorising the sale of the town house in the village of Seneca Falls, Seneca county, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Jones	Manroe	Taber	
Beekman	Cornell	Kirby	Platt	Upham	
Clark	Davenport	McElwain	Rogers	Williams	
Conger	Huntington	Morgan	Snow		19

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Van Schoonhoven moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Wright moved that when the Senate adjourn, it adjourns to Monday next, at ten o'clock, a. m.

Mr. Williams called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Upham	VanSchoonhoven	Wright	
Beekman	Rogers	Vanderbilt			8

FOR THE NEGATIVE.

Bartlett	Cornell	Jones	Morgan	Snow	
Conger	Davenport	Kirby	Pierce	Taber	
Cooley	Huntington	McElwain	Platt	Williams	15

The Senate then took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the following entitled bills :

Assembly bill, entitled "An act to secure a more just valuation of property for taxation."

Assembly bill, entitled "An act to repeal sections nine, eleven, thirteen and fourteen, and part of section ten and section fifteen, of title four, part one, chapter thirteen of the Revised Statutes, entitled 'regulations concerning the assessments of taxes on incorporated companies and the commutation thereof.'"

"An act in relation to the taxation of real estate and of mortgages thereon."

And after some time spent thereon, Mr. Kirby, from said committee, reported progress on said first mentioned bill, and asked for and obtained leave to sit again on said several mentioned bills.

On motion of Mr. Otis,

Said bills were made a special order for Monday next at eleven o'clock, a. m.

On motion of Mr. Bartlett,

The Senate then adjourned until ten o'clock, a. m., to-morrow.

SATURDAY, MAY 28, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Duval.

The journal of yesterday was read and approved.

Mr. Kirby presented the petition of Bethel Judd for canal damages, which was referred to the committee on claims.

Mr. McElwain presented the petition of the Angelica and Belvidere Plank Road Company for relief, which was referred to the committee on roads and bridges.

Mr. Taber presented the memorial of the American and foreign bible society for alteration of law, &c., which was referred to the committee on charitable and religious societies.

Mr. Taber presented the memorial of the common council of Schenectady, as to the water law, which was laid on the table.

By unanimous consent,

Mr. Wright asked for and obtained leave to introduce a bill entitled "An act to confirm certain conveyances," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

By unanimous consent,

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to authorize the construction of a railroad in the towns of New-Utrecht and Gravesend, in the

county of Kings," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

By unanimous consent,

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section nine, of chapter two hundred and fifty, of the Laws of 1849," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act appropriating the revenues of the literature and United States Deposit Fund," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

The Assembly bill entitled "An act to authorize religious corporations to change their names," was read a third time, when

On motion of Mr. Babcock,

Said bill was recommitted to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act to authorize the Canal Commissioners to construct a road bridge over the Oswego canal in the village of Phoenix," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The Assembly bill entitled "An act to annex part of the town of Newfield, Tompkins co., to the town of Catharine, Chemung co.," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Otis	Taber
Bartlett	Cooley	Kirby	Platt	Vanderbilt
Bristol	Cornell	McElwain	Rogers	Wright
Clark	Davenport	Morgan	Snow	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to make the village of Summit Four Corners, and of Charlotteville, in the town of Summit, Schoharie county, each a separate road district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Morgan	Rogers
Bartlett	Cooley	Kirby	Otis	Snow
Bristol	Cornell	McElwain	Platt	Taber
Clark	Davenport			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act relative to the common lands in the town of North Hempstead, county of Queens," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cornell	McElwain	Platt	Taber
Bristol	Davenport	Morgan	Rogers	Vanderbilt
Clark	Huntington	Otis	Snow	Wright
Cooley	Kirby			

17

FOR THE NEGATIVE.

Babcock	Conger	Williams
---------	--------	----------

3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend the charter of the village of Union Springs,' passed April 12, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Pierce	Snow
Bristol	Cornell	McElwain	Platt	Vanderbilt
Clark	Davenport	Morgan	Rogers	Williams
Conger	Huntington	Otis		

18

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to revive chapter 96, Laws of 1851, entitled 'An act to incorporate the Rome Water works company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirma-

tive, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	McElwain	Rogers	VanSchoonhoven
Bristol	Davenport	Morgan	Snow	Williams
Clark	Huntington	Otis	Taber	Wright 20

Ordered, That the Clerk deliver the said bill to the Assembly and request their concurrence therein.

The Assembly bill entitled "An act authorising the Methodist Episcopal church in Junius, Seneca county, to sell their parsonage," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Platt	Vanderbilt
Bristol	Davenport	Morgan	Rogers	Williams
Clark	Huntington	Otis	Taber	Wright
Conger	Kirby			17

FOR THE NEGATIVE.

Babcock	Pierce	2
---------	--------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorize the Manlius plank road company to abandon a part of their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Kirby	Platt	Taber
Bristol	Cornell	McElwain	Rogers	Vanderbilt
Clark	Davenport	Morgan	Snow	Williams
Conger	Huntington	Otis		18

FOR THE NEGATIVE.

Wright	1
--------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Senate bill entitled "An act to authorize the Attica and Allegany Valley railroad company, to change the line of its road," was read a third time, when

On motion of Mr. Babcock, and by unanimous consent, the same was amended by adding to the first section, the following : Provided that such location shall not interfere or conflict with the location of any other railroad.

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Vanderbilt
Bartlett	Davenport	Morgan	Rogers	Williams
Bristol	Huntington	Otis	Taber	Wright
Clark	Kirby			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed, the following entitled bill :

"An act to change the time for the election of directors of railroad corporations."

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Otis	Taber
Bartlett	Cooley	Kirby	Platt	Van Schoonhoven
Bristol	Cornell	Morgan	Rogers	Wright
Clark	Davenport			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the trustees of the fund for aged and infirm clergymen of the Protestant Episcopal Church, in the diocese of New-York," was read a third time, and not receiving a constitutional vote, was

On motion of Mr. Van Schoonhoven, recommitted to the committee on charitable and religious societies, with instructions to amend the general law so as to include the provisions of said bill, if it does not already do so.

Mr. Williams, by unanimous consent, gave notice that he would at an early day, ask leave to introduce a bill to authorize the enlargement of the Sodus canal, that it may be constructed one hundred feet in width, and twelve feet in depth, and to extend the same to the Cayuga and Seneca lakes.

Mr. Taber gave notice that he would, at an early day, ask leave to bring in a bill extending the time for the Albany Tunnel company to comply with the conditions of their incorporation.

By unanimous consent,

Mr. Taber, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to authorise religious corporations to change their names," reported in favor of the passage of the same with amendments.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Taber, from the committee on charitable and religious societies, to which was referred the memorial of the American and Foreign Bible society, asked for and obtained leave to introduce a bill entitled "An act relative to the American and Foreign Bible society," which was read the first time, and, by unanimous consent, was also read the second time.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Kirby, and by unanimous consent,

Resolved, That the Assembly bill to amend the charter of the Genesee Suspension Bridge company," be taken from the general orders and ordered to a third reading.

In pursuance of previous notice, and by unanimous consent, Mr. Clark asked for and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to authorise the laying out and opening of a public highway in the village of Canandaigua, Ontario county, passed March 29, 1853,'" which was read a first time, and by unanimous consent was also read a second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

On motion of Mr. Clark, and by unanimous consent,

Resolved, That Senate bill entitled "An act to authorise any railroad corporation in this State to subscribe to the capital stock of the Sodus Point and Southern railroad company," be taken from the general orders, and referred to a select committee with power to report complete.

The President appointed as such committee Messrs. Clark, Rodgers and McElwain.

On motion of Mr. Babcock, and by unanimous consent,

Resolved, That the Senate bill authorising the sale of lands in the Niagara river reservation, be taken from the general orders and referred to a select committee to report complete.

The President appointed as such committee, Messrs. Babcock, Kirby and Clark.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for taking the acknowledgment of deeds and other written instruments, by persons residing out of the State of New-York, passed April 7, 1848,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Morgan	Snow
Bennett	Cooley	Kirby	Ows	Williams
Bristol	Cornell	McElwain	Platt	Wright
Clark	Davenport			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Van Schoonhoven moved that the present order of business, third reading of bills, be suspended.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. McElwain moved that the Senate do now adjourn.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	McElwain	Platt	Vanderbilt	Wright
Kirby	Otis	Rogers		

6

FOR THE NEGATIVE.

Babcock	Conger	Davenport	Morgan	Van Schoonhoven
Bristol	Cooley	Huntington	Snow	Williams
Clark	Cornell			

12

By unanimous consent the Senate resolved itself into a committee of the whole, on the bill entitled "An act to authorize stockholders of railroad companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages," and after some time spent thereon, Mr. Snow, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Vanderbilt moved that said bill be referred to the committee on railroads, with power to report the same complete.

Mr. Cornell moved to lay said motion on the table.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Huntington	Otis	Snow	Vanderbilt
Conger	Morgan	Platt	Taber	Williams
Cornell				

11

FOR THE NEGATIVE.

Bartlett	Cooley	McElwain	Van Schoonhoven	Wright
Clark	Davenport	Rogers		

8

On motion of Mr. Vanderbilt, and by unanimous consent,

Resolved, That the bills entitled "An act to amend 'An act to incorporate the Williamsburgh Waterworks company,' passed April 16th, 1852," also "An act for the supply of the city of Brooklyn with water," be recommitted to the committee on cities and villages, with power to report the same complete.

On motion of Mr. Babcock, the Senate adjourned until ten o'clock, A. M., Monday.

MONDAY, MAY 30, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kip.

The journal of Saturday was read and approved.

Mr. Morgan presented a memorial of Jacob A. Westervelt and others, against taking Jones' Wood as a public park, which was referred to a select committee.

Mr. Vanderbilt presented a petition of the American oil company, for change of name.

By unanimous consent,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act to change the name of the American oil company," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill be engrossed for a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act passed April 15, 1853, entitled 'An act in relation to plank roads,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorise the building of a bridge across the Chenango river, at Binghamton," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Clark, from the select committee, to which was referred the bill entitled "An act authorizing any railroad company in this State to subscribe to the capital stock of the Sodus Point and Southern railroad company, or the Attica and Allegany Valley railroad company," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Vanderbilt, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An

act to supply the city of Brooklyn with water," also, "An act to amend an act entitled 'An act to incorporate the Williamsburgh water works company,' passed April 16, 1852," with power to report complete, so reported, and said bills were ordered engrossed for a third reading.

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act to authorise the sale of lands belonging to the State in the Niagara river reservation," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Bartlett asked for and obtained leave to introduce a bill entitled "An act in relation to the powers and duties of the trustees of the village of Walton," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate to the following entitled bill:

The Assembly bill entitled "An act to consolidate the several school districts, and parts of districts in the village of Pulaski into one district, and provide for a school therein, and to amend the act entitled 'An act to incorporate the village of Pulaski, in the county of Oswego,' passed April 10, 1849."

A bill was received from the Assembly for concurrence, entitled "An act to authorise the construction of docks, piers, and bulkheads, in Williamsburg," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, with power to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the Syracuse savings institution,' passed March 30, 1849," which was read a first time, and by unanimous consent was also read a second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act authorising the canal commissioners to construct a bridge over the canal at Middleport," which was read a first time, and by unanimous consent was also read a second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Monterey, Cooper Plains, Painted Post, and Corning plank road company to borrow money," which was read a first time, and by unanimous consent was also read a second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the appointment of a harbor master at Tonawanda," which was read a first time, and by unanimous consent was read a second time, and referred to the committee on commerce and navigation.

Mr. Taber, in pursuance of previous notice, asked for and obtained leave to introduce a bill entitled "An act to extend the time for the Albany tunnel company, to comply with the conditions of its incorporation," which was read a first time, and by unanimous consent was also read a second time, and referred to the committee on commerce and navigation.

On motion of Mr. Babcock,

Resolved, That the bill entitled "An act to authorize the incorporation of Roman Catholic societies and congregations," be recommitted to the committee of the whole, and that it be made a special order for Thursday next, at twelve o'clock, m.

On motion of Mr. Babcock,

Resolved, That such portions of the general orders as are not embraced in the resolution appointing the committee of eight, be made a special order for Wednesday next, immediately after the presentation of petitions.

On motion of Mr. Babcock,

Resolved, That a respectful message be transmitted to the Assembly, requesting the transmission to the Senate of the bill entitled "An act for the relief of Patrick McCaughal."

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to enable the society for the reformation of juvenile delinquents in the city of New-York, to complete their new buildings and to appropriate money therefor."

"An act to supply a deficiency in the appropriations for the support of the Western house of refuge for the fiscal year ending September, 1853,"

And after some time spent thereon, Mr. Pierce, from said committee, reported in favor of the passage of said bills with amendments, which report was agreed to, and said bills ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to authorize the stockholders of railroad companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages."

"An act to amend an act passed April 15, 1853, entitled 'An act in relation to plank roads,'"

And after some time spent thereon, Mr. Bennett, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

On motion of Mr. Pierce,

Said bills were made the special order for four o'clock, p. m.

The President announced a communication in the words following, to wit:

To the Hon. the Senate and Assembly:

The undersigned, a committee appointed for that purpose by the Central line of railroads, invite the members of the Senate and the Assembly to an excursion over the road, from Albany to Niagara Falls and Buffalo, passing over the new direct line from Syracuse to Rochester. It is proposed to leave Albany at six o'clock in the morning, Saturday the 4th day of June next, dine at Niagara Falls, remain at that place and its vicinity over Sunday, and return at an early hour on Monday, in order not to interfere with the regular afternoon session of the Legislature on that day. Should any other time be preferred by the members of the Legislature, the requisite arrangements will be made to meet their views.

ERASTUS CORNING,
E. C. McINTOSH,
J. B. PLUMB, } Committee.

Albany, May 26, 1852.

The hour of a quarter to two o'clock, p. m. having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Pierce, from the committee on canals, asked and obtained leave to introduce a bill entitled "An act appropriating money to the payment of interest on canal revenue certificates and on the Oswego loan," which was read the first time, and by unanimous consent was also read the second time and committed to the committee of the whole.

On motion of Mr. Pierce,

The last mentioned bill, also the bill entitled "An act appropriating moneys to the Canal Fund, to be applied to the Erie canal enlargement, the Black River, the Genesee Valley, the Oswego, the Seneca and Cayuga, and Crooked Lake canals;" also the bill entitled "An act appropriating moneys to the payment of canal debts and for other purposes," were made the special order for Thursday next, at eleven o'clock.

Mr. Vanderhilt, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to construct certain roads from the settlements in Lewis co., to Brown's tract, in Herkimer co.," reported in favor of the passage of the same

without amendment, which was committed to the committee of the whole.

Mr. Pierce, from the committee on canals, to which was referred the bill entitled "An act to authorise the Canal Commissioners to construct a road bridge over the Oswego canal in the village of Phoenix," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Platt, from the committee on commerce and navigation, to which was referred the bill entitled "An act to extend the time for the Albany Tunnel Company to comply with the conditions of its incorporation," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Williams, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the act entitled 'An act to authorise the laying out and opening of a public highway in the village of Canandaigua, county of Ontario,' passed March 29, 1853," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

On motion of Mr. Vanderbilt,

Resolved, That the Senate do accept the invitation tendered to them this day, by a committee on behalf of the Central line of railroads.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to authorise stockholders of railroad companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages."

"An act to amend an act passed April 15, 1853, entitled 'An act in relation to plank roads.'"

And after some time spent thereon, Mr. Huntington, from said committee, reported in favor of the passage of said first mentioned bill with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Huntington, from said committee, reported progress on said second mentioned bill, and asked for and obtained leave to sit again.

On motion of Mr. Davenport,

Resolved, That Assembly bill, No. 190, entitled "An act to construct certain roads from the settlements in Lewis co., to Brown's tract in Herkimer co." be ordered to a third reading.

On motion of Mr. Taber,

Resolved, That the bill to amend "An act to authorise the formation of corporations for manufacturing, mining, mechanical and chemical purposes," be taken from the committee of the whole and ordered to a third reading.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bill :

"An act in relation to the American and foreign bible society."

Ordered, That said bill do have its third reading.

By unanimous consent,

The bill entitled "An act in relation to the American and Foreign Bible Society," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Newcomb	Taber
Bartlett	Conger	Jones	Otis	Vanderbilt
Beekman	Cooley	Kirby	Platt	VanSchoonhoven
Bennett	Davenport	McElwain	Snow	Williams
Bristol				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Babcock moved to reconsider the vote taken this day, on accepting the invitation tendered to the Senate on behalf of the central line of railroads.

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Otis	Taber
Bartlett	Davenport	Kirby	Pierce	Vanderbilt
Beekman	Huntington	McElwain	Platt	Williams
Clark				16

FOR THE NEGATIVE.

Bristol	Cooley	Newcomb	3
---------	--------	---------	---

Mr. Babcock moved to amend.

Resolved, That the invitation of the committee of the central line of railroads, be accepted, to take effect the day after the final adjournment of the legislature.

Mr. Jones called for the ayes and noes on said amendment.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Pierce	Vanderbilt
Bartlett	Davenport	Morgan	Platt	VanSchoonhoven
Beekman	Kirby	Otis	Snow	15

FOR THE NEGATIVE.

Conger	Jones	Williams	3
--------	-------	----------	---

Mr. Williams moved a reconsideration of the vote last taken.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Cooley moved that the Senate do now adjourn.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bristol	Kirby	Otis	Vanderbilt	VanSchoonhoven	
Cooley	Morgan	Snow			8

FOR THE NEGATIVE.

Babcock]	Beekman	Davenport	McElwain	Platt	
Bartlett	Conger	Jones	Pierce	Williams	10

The President then announced the question to be on Mr. Babcock's amendment.

Debate was had thereon, when

Mr. Otis moved that the Senate adjourn.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bristol	Kirby	Morgan	Otis	VanSchoonhoven	
Cooley					6

FOR THE NEGATIVE.

Babcock	Beekman	Davenport	McElwain	Platt	
Bartlett	Conger	Jones	Pierce	Williams	10

The President announced the question to be on the amendment offered by Mr. Babcock.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Otis	VanSchoonhoven	
Bartlett	Cooley	McElwain	Pierce	Williams	
Beekman	Davenport	Morgan	Platt		14

FOR THE NEGATIVE.

Bristol	Kirby				2
---------	-------	--	--	--	---

No quorum voting, Mr. Cooley moved that the Senate adjourn.

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bristol	Cooley	Morgan	Otis		4
---------	--------	--------	------	--	---

FOR THE NEGATIVE.

Babcock	Conger	Jones	McElwain	Platt	
Bartlett	Davenport	Kirby	Pierce	Williams	10

The President again announced the question to be on the amendment offered by Mr. Babcock.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Otis	Platt	
Bartlett	Cooley	McElwain	Pierce	Williams	
Beekman	Davenport	Morgan			13

FOR THE NEGATIVE.

Bristol	Kirby				2
---------	-------	--	--	--	---

No quorum voting, Mr. Otis moved a call of the Senate.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Beekman	Davenport	McElwain	Pierce	
Bartlett	Conger	Jones	Otis	Platt	10

FOR THE NEGATIVE.

Bristol	Kirby	Snow	VanSchoonhoven	Williams	
Cooley	Morgan	Vanderbilt			8

Mr. Babcock moved that all further proceedings under the call be suspended.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	Snow	
Bartlett	Davenport	McElwain	Pierce	Vanderbilt	
Beekman	Huntington	Morgan	Platt	VanSchoonhoven	
Conger	Jones				17

FOR THE NEGATIVE.

Bristol					1
---------	--	--	--	--	---

Mr. Cooley moved that the Senate do now adjourn.

Mr. Pierce called for the ayes and nays.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beckman	Huntington	Morgan	Snow	Van Schoenaboven
Bristol	Kirby	Otis	Vanderbilt	Williams
Cooley				

11

FOR THE NEGATIVE.

Babcock	Conger	Jones	Pierce	Platt
Bartlett	Davenport	McElwain		

8

The Senate adjourned to ten o'clock, a. m., to-morrow.

TUESDAY MAY 31, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Davenport.

The journal of yesterday was read and approved.

The President presented a memorial from the Commissioners of Emigration for the repeal or modification of the act entitled "An act for the protection of emigrant passengers, passed April 13, 1853," which was referred to a select committee from the 1st, 2d, 5th and 6th Senate districts.

Mr. Morgan from the committee on cities and villages, to which was referred the Assembly bill entitled "An act to authorise the construction of docks, piers, and bulkheads, in Williamsburgh," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on cities and villages, to which was referred the bill entitled "An act to incorporate the Sing Sing Water Works company," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the petition of New Berlin and Brookfield plank road company for relief, reported and asked for and obtained leave to introduce a bill entitled "An act for the relief of the New Berlin and Brookfield plank road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

On motion of Mr. Wright, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the Senate bill No. 266, for amending the act of 1851, for the incorporation of building, mutual loan and accumulating fund associations, and that the same be referred to a select committee with power to report the same complete.

The President appointed, as such committee, Messrs. Wright, Rogers and Taber.

By unanimous consent,

Mr. Snow asked and obtained leave to introduce a bill entitled "An act in relation to highways and bridges," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on roads and bridges with power to report the same complete.

By unanimous consent,

Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to authorise the business of banking, passed April 18, 1838, and the acts amending the same,'" which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on banks and insurance companies, to report complete.

By unanimous consent,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act to close a portion of South Tenth street, Williamsburgh, Kings co.," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

By unanimous consent,

Mr. Cooley asked for and obtained leave to introduce a bill entitled "An act to amend an act to authorise the construction of draw bridges over the Flushing and Newtown creeks, in the counties of Queens and Kings, passed April 11, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The bill entitled "An act to authorise the board of supervisors of the county of Kings, to borrow money to erect a building for the accommodation of the courts and the public officers of the said county, and to purchase land for a site for such buildings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babeock
Bartlett
Beekman
Bennett
Bristol

Clark
Conger
Davenport
Huntington
Jones

McElwain
Morgan
Munroe
Newcomb
Otis

Platt
Rogers
Smith
Snow

Taber
Vanderbilt
Williams
Wright

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Genesee Suspension bridge company,' passed April 16, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beekman	Davenport	McElwain	Otis	Snow
Bennett	Huntington	Munroe	Rogers	Vanderbilt
Clark	Jones	Newcomb	Smith	Wright
Conger	Kirby			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the relief of Henrietta Petford," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Newcomb	Snow
Bartlett	Conger	Kirby	Otis	Taber
Beekman	Cooley	McElwain	Platt	Vanderbilt
Bennett	Davenport	Morgan	Rogers	Williams
Bristol	Huntington	Munroe	Smith	Wright

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to release the interest of the people of this State, in certain real estate conveyed by Peter Dempsey and wife, to John Aird, which escheated on his death to Charles Davis and James Davis, who are equitably entitled thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Otis	Snow
Bartlett	Conger	Kirby	Platt	Vanderbilt
Beekman	Cooley	McElwain	Rogers	Williams
Bennett	Davenport	Morgan	Smith	Wright
Bristol	Huntington	Munroe		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to incorporate the Syracuse Home Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Kirby	Newcomb	Smith
Beekman	Cooley	McElwain	Otis	Snow
Bennett	Davenport	Morgan	Platt	Taber
Bristol	Jones	Munroe	Rogers	Vanderbilt

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to construct certain roads from the settlements in Lewis county, to Brown's tract, in Herkimer county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beekman	Davenport	McElwain	Platt	Taber
Bennett	Huntington	Morgan	Rogers	Vanderbilt
Bristol	Jones	Newcomb	Smith	Williams
Clark	Kirby	Otis	Snow	Wright
Cooley				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act to authorise the formation of companies for manufacturing, mining, mechanical and chemical purposes, passed February 17, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	McElwain	Rogers	Taber
Beekman	Cooley	Newcomb	Smith	Vanderbilt
Bennett	Davenport	Otis	Snow	Wright
Bristol	Kirby			

17

FOR THE NEGATIVE.

Babcock	Platt	Williams
---------	-------	----------

2.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the construction of docks, piers and bulkheads, in Williamsburgh," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Otis	Snow	
Bartlett	Davenport	Morgan	Platt	Vanderbilt	
Bristol	Huntington	Munroe	Rogers	Williams	
Conger	Kirby	Newcomb	Smith	Wright	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise religious corporations to change their names," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Otis	Taber	
Bartlett	Conger	McElwain	Platt	Williams	
Beekman	Davenport	Munroe	Smith	Wright	
Bennett	Jones	Newcomb	Snow		19

FOR THE NEGATIVE.

Huntington	Vanderbilt				2
------------	------------	--	--	--	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for the extension of the draining of the Black Creek or Crozier swamp, in the county of Ulster," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Pierce	Taber	
Bartlett	Davenport	Morgan	Platt	Vanderbilt	
Beekman	Huntington	Munroe	Rogers	Williams	
Bennett	Jones	Newcomb	Smith	Wright	
Conger	Kirby	Otis			21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the improvement of the navigation of the Big Chazy river," was read a third time, when

By unanimous consent,

The amendments made thereto by the committee of the whole, were stricken out.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	McElwain	Platt	Vanderbilt
Beekman	Cooley	Morgan	Rogers	Van Schoonhoven
Bennett	Davenport	Munroe	Smith	Williams
Bristol	Huntington	Newcomb	Taber	Wright
Clark	Kirby	Otis		23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to release the interest of the State in certain lands of which Noah Mead died possessed, and to grant the right to Jemima Patterson to hold the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	McElwain	Pierce	Upham
Beekman	Davenport	Morgan	Platt	Vanderbilt
Bennett	Huntington	Munroe	Smith	Williams
Bristol	Jones	Newcomb	Taber	Wright
Clark	Kirby	Otis		23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorize school districts in the towns of this State, to raise money to pay librarians," was read a third time.

On motion of Mr. Babcock,

Said bill was recommitted to the committee on literature for amendment.

Mr. Clark, from the committee on engrossed bills, reported the following entitled bills as correctly engrossed:

"An act in relation to the powers and duties of the trustees of the village of Walton."

"An act authorising any railroad company in this State, to subscribe to the capital stock of the Sodus Point and southern railroad company, and the Attica and the Allegany Valley railroad company."

"An act appropriating the literature and United States deposit funds."

"An act to amend the general law relative to the incorporation of insurance companies."

"An act to amend the act entitled 'An act to authorise the laying out and opening of a public highway in the village of Canandaigua,' passed March 29, 1853."

"An act to authorise the sale of lands belonging to the State in the Niagara River Reservation."

"An act to change the name of the American oil company."

Ordered, That said bills do have their third reading.

By unanimous consent,

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to amend the act entitled 'An act to authorise the business of banking,' passed April 1838, and the acts amending the same," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Wright, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act for the incorporation of building mutual loan and accumulating fund associations,' passed April 10, 1851," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Munroe, from the select committee, to which was referred the bill entitled "An act to regulate and equalize the assessment of the real estate of railroad companies, for the purpose of taxation," with power to report complete, so reported.

On motion of Mr. McElwain,

Said report was laid upon the table.

By unanimous consent,

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the memorial of Peter Cooper and others, committee, &c., for a law to authorise the New-York juvenile asylum and corporation, to purchase lands for building, &c., reported, and asked for and obtained leave to introduce a bill entitled "An act to amend the act to incorporate the New-York juvenile asylum," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee, to report complete.

The President appointed Messrs. Beekman, Newcomb, and Morgan, as such select committee.

At twelve o'clock m., the president announced the special order, it being executive session.

The Senate went into executive session, and after some time spent therein, it again resumed legislative business.

By unanimous consent,

Mr. Beekman, from the select committee, to which was referred the bill entitled "An act to amend the charter of the marine society of the city of New-York, in the state of New-York," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Cooley asked for and obtained leave to introduce a bill entitled "An act to allow the Staten Island railroad company to extend the time to commence the construction of their road for two years," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

On motion of Mr. Conger, and by unanimous consent,

Resolved, That the Senate bill No. 182, in relation to the claim of Messrs. Mather and Merritt, be referred to the judiciary committee, with instruction to inquire into the legality or illegality of the said claim, for any cause whatever.

Mr. Babcock moved that the present order of business, the third reading of bills, be suspended.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Beekman	Jones	Platt	4
---------	---------	-------	-------	---

FOR THE NEGATIVE.

Bartlett	Conger	Kirby	Rogers	VanSchoenhoven
Bennett	Cooley	McElwain	Smith	Williams
Bristol	Davenport	Newcomb	Vanderbilt	Wright
Clark	Huntington	Otis		18

The bill entitled "An act in relation to the powers and duties of the trustees of the village of Walton," was read a third time, when,

On motion of Mr. Bartlett, and by unanimous consent,

The said bill was amended, by adding to the first section, as follows, viz.: with the exception that all sums received for fines, penalties, or forfeitures, shall be paid to the treasurer of the county of Delaware.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Otis	Taber
Bartlett	Conger	McElwain	Platt	Upham
Beekman	Davenport	Munroe	Rogers	Vanderbilt
Bennett	Huntington	Newcomb	Snow	Wright
Bristol	Jones			

23

FOR THE NEGATIVE.

Williams

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act appropriating the literature and United States deposit funds," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Upham
Bartlett	Davenport	Munroe	Rogers	Vanderbilt
Beekman	Huntington	Newcomb	Smith	VanSchoenhoven
Bristol	Jones	Otis	Taber	Williams
Clark	Kirby	Pierce		

23

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorising any railroad company in this State to subscribe to the capital stock of the Sodus Point and southern railroad company, and the Attica and Allegany Valley railroad company," was read a third time, when,

On motion of Mr. McElwain and by unanimous consent,

The said bill was amended by striking out the words, "and the Attica and Allegany Valley railroad company," in the title, and wherever else they may be in said bill or words relating to said Attica and Allegany Valley railroad company, and by striking out the words "a majority," in the ninth line of the first section of said bill, and inserting in lieu thereof the words "two-thirds."

Mr. Conger then moved that said bill be recommitted, with instructions to strike out the enacting clause of the same.

Mr. Clark called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Otis			3
---------	--------	------	--	--	---

FOR THE NEGATIVE.

Bartlett	Bristol	McElwain	Newcomb	Williams	
Beekman	Clark	Morgan	Pierce	Wright	
Bennett	Cooley	Munroe	Upham		15

The said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	McElwain	Otis	Upham	
Beekman	Cooley	Morgan	Platt	Williams	
Bennett	Huntington	Munroe	Rogers	Wright	
Bristol	Kirby	Newcomb			18

FOR THE NEGATIVE.

Babcock	Conger	Davenport	Jones	Pierce	5
---------	--------	-----------	-------	--------	---

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to prevent the sale of intoxicating liquors as a beverage," was called up for a third reading. The Clerk having read several sections, Mr. Beekman moved to re-commit said bill to the committee of the whole.

Debate was thereon had, when

The hour of 2¼ o'clock having arrived the Senate took a recess until 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Babcock asked and obtained leave to introduce a bill entitled "An act in relation to the confinement of juvenile offenders under sentences of the court of the United States," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That the said bill be referred to the committee on the judiciary, to report complete.

By unanimous consent,

Mr. Taber asked for and obtained leave to introduce a bill entitled "An act to authorise any railroad company to subscribe to the stock of the Attica and Allegany Valley railroad company,"

which was read the first time, and by unanimous consent was also read the second time

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

The President announced the question before the Senate to be the motion of Mr. Beekman to recommit the bill entitled "An act to prevent the sale of intoxicating drinks."

Debate was had thereon, when

Mr. Platt moved to amend the said motion, of Mr. Beekman, by adding "And that said committee be instructed to strike out the provision in said bill requiring it to be submitted to the people for action thereon, before becoming a law."

Debate was had thereon, when

Mr. Platt withdrew his amendment.

Debate was further had thereon, when

Mr. Upham renewed the motion offered and withdrawn by Mr. Platt.

Debate was still further had thereon, when

Mr. Upham withdrew the motion renewed by him.

The President announced the question to be on the motion offered by Mr. Beekman to recommit said bill.

Mr. Clark called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and the vote was as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Otis	Smith	Vanderbilt
Beekman	Cornell	Pierce	Snow	VanSchoonhoven
Bennett	Jones	Platt		13

FOR THE NEGATIVE.

Babcock	Cooley	McElwain	Taber	Williams
Bristol	Davenport	Munroe	Upham	Wright
Clark	Kirby	Rogers		13

There being a tie the President gave the casting vote in the affirmative.

Mr. Cornell moved to lay the present order of business, the third reading of bills, on the table, and called for the ayes and noes.

Mr. Wright moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beekman	Kirby	Otis	Platt	Wright
Clark	McElwain	Pierce	Snow	
				9

FOR THE NEGATIVE.

Babcock	Bristol	Cornell	Munroe	Upham
Bartlett	Conger	Davenport	Smith	VanSchoonhoven
Bartlett	Cooley	Jones	Taber	Williams

15

Mr. Cornell renewed his motion to lay the order of third reading of bills, on the table, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Rogers	Taber
Bartlett	Cooley	McElwain	Smith	Upham
Bennett	Cornell	Munroe	Snow	Williams
Bristol	Davenport			

17

FOR THE NEGATIVE.

Beekman	Otis	Platt	Wright
---------	------	-------	--------

4

Mr. Otis moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and the vote was as follows :

FOR THE AFFIRMATIVE.

Bartlett	Jones	Otis	Platt	VanSchoonhoven
Beekman	Kirby	Pierce	Snow	Wright
Bennett	McElwain			

12

FOR THE NEGATIVE.

Babcock	Cooley	Munroe	Smith	Upham
Bristol	Cornell	Rogers	Taber	Williams
Conger	Davenport			

12

There being a tie the President gave the casting vote in the affirmative.

The Senate then adjourned until ten o'clock, a. m., to-morrow.

WEDNESDAY, JUNE 1, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Huntington.

The journal of yesterday was read and approved.

Mr. Cooley presented the remonstrance of J. Phillips Phoenix, Stephen Whitney and other citizens of New-York city, against establishing a public park at Jones' Woods in said city, which was referred to a select committee.

Mr. Babcock presented the remonstrance of Frederick Bronson

and others of New-York city, on the same subject, which was referred to a select committee.

Mr. Bartlett presented the remonstrance of Greene C. Bronson, on the same subject, which was referred to a select committee.

Mr. Morgan presented the remonstrance of Spofford Tileston, & Co., and others of the city of New-York, on the same subject, which was referred to a select committee.

Mr. Morgan presented the petition of sixty-two citizens of New-York city, in favor of establishing "Jones' Woods" Park, which was referred to a select committee.

Mr. Babcock presented the petition of A. R. Cobb, for damages for the destruction of his boat by a break in the canal, which was referred to the committee on claims.

Mr. Taber presented the petition of Mary McAnnally and Ann Thompson, for a law to allow them to hold real estate, which was referred to the committee on the judiciary.

Mr. Beekman presented the memorial of Cornelius Mahoney, praying for aid in furnishing the blind with music printed with raised types, and specimens of such types, which was referred to the committee on literature.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to extend for a limited period the charter of the Montgomery mutual insurance company," reported adversely to the passage of the same.

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

The President announced the special order, it being the consideration of general orders.

Mr. Munroe moved that the same be suspended until eleven o'clock, a. m.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Cornell	Morgan	Taber	
Bartlett	Clark	Davenport	Munroe	Upham	
Beekman	Cooley	McElwain	Pierce	Vanderbilt	15

FOR THE NEGATIVE.

Otis	Smith	Snow	Wright	4
------	-------	------	--------	---

Mr. Taber, from the committee on the judiciary, to which was recommitted the Assembly bill entitled "An act to incorporate the trustees of the fund for aged and infirm clergymen of the Protestant Episcopal church in the diocese of New-York," with instructions to inquire, if necessary to amend the general law, in order to include the objects of said bill, reported, that it was not.

Ordered, That said bill do have its third reading.

Mr. Bennett, from the committee on roads and bridges, to which

was referred the bill entitled "An act in relation to highways and bridges," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of the parties interested in certain lands devised by Smith Thompson, deceased," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorise the Angelica and Belvidere plank road company, to erect gates two miles apart on their road," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Clark, from the committee on roads and bridges, to which was recommitted the Assembly bill entitled "An act to provide for rebuilding a bridge across the Canandaigua outlet at the village of Alloway, in the town of Lyons, Wayne co., and for raising money for that purpose by tax upon said town," with instructions to inquire if statutes did not already provide for objects of said bill, reported that they had examined and come to the conclusion that the Statutes did not thus provide.

Ordered, That said bill do have its third reading.

Mr. Williams, from the committee on the incorporation of cities and villages, to which was referred the petition of citizens of the villages of Arcadia and Newark, to unite said villages into one incorporation, reported, and asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Newark,'" which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Jones, from the committee on claims, to which was recommended the bill entitled "An act for the relief of Harry Hall," with instructions to report the facts and grounds of the claim for such relief, in writing, so reported.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Beekman, from the select committee, to which was referred the bill entitled "An act to amend the act to incorporate the New-York juvenile asylum," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Munroe asked for and obtained leave to introduce a bill entitled "An act for the relief of the legatees of Primus Champ-
lin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Munroe asked for and obtained leave to introduce a bill

entitled "An act in reference to Munroe Academy," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Williams asked for and obtained leave to introduce a bill entitled "An act to authorise any railroad companies in this State, to subscribe to the capital stock of the Clyde and Soodus Bay railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Cornell gave notice that he would, at an early day, ask leave to introduce a bill to amend section first, of chapter 256, of the Session Laws of 1849.

Mr. Van Schoonhoven, from the select committee, to which was recommitted the Assembly bill entitled "An act to exempt the Assay office of the United States, in the city of New-York, from assessment or tax," with power to report complete, so reported, and said bill was ordered to a third reading.

A message from the Assembly was received and read, informing that they had passed with amendments the following entitled bill: "An act to amend the charter of the Watertown and Rome railroad company, and extend the time for the final completion of their road."

The amendments having been read, the President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Dabcock	Cooley	Kirby	Otis	Snow
Beach	Cornell	McElwain	Platt	Upham
Beckman	Davenport	Morgan	Rogers	Williams
Clark	Jones	Manroe	Smith	Wright
Conger				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

By unanimous consent,

Mr. Upham asked and obtained leave to introduce a bill entitled "An act to authorise the laying of railroad tracks in Division avenue, and through certain streets in the cities of Brooklyn and Williamsburgh, in the county of Kings," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Vanderbilt asked and obtained leave to introduce a bill entitled "An act relative to the fire department of the city of Brooklyn," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on cities and villages.

The hour of 11 o'clock having arrived, the Senate resolved itself into a committee of the whole, on the following entitled bills:

"An act to authorise the establishment of the Western State Lunatic Asylum."

"An act for the appraisement of canal damages of John H. Stafford."

Assembly bill entitled "An act authorising the canal appraisers to examine the claim of Lauren Seymour and others, for damages sustained in consequence of the destruction of a dam on the Oneida river,"

And, after some time spent thereon, Mr. Smith, from said committee, reported progress on said several mentioned bills, and asked and obtained leave to sit again.

The hour of 2½ P. M. having arrived, the Senate took a recess until 4 o'clock.

FOUR O'CLOCK, P. M.

The Senate met.

By unanimous consent,

Mr. Upham, from the committee on grievances, to which was referred the petition of John W. Curran, for compensation for damages sustained by him in the falling of a canal bridge at Lockport, asked for and obtained leave to introduce a bill entitled "An act for the relief of John W. Curran," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Missionary society of the Methodist Episcopal Church,'" which was read the first time, and by unanimous consent, was also read the second time and referred to the committee on charitable and religious societies.

The Senate then resolved itself into a committee of the whole, on the several entitled bills under consideration before the recess, and also the following entitled bill:

"An act for the payment to William George Barnhart, Jacob Barnhart and others, the amount to which they are entitled,"

After some spent thereon, Mr. Platt, from said committee, reported that they had considered said first mentioned bill, and stricken out the enacting clause to the same.

Mr. Platt, from said committee, reported in favor of the passage of the second mentioned bill, which report was agreed to, and the said bill was ordered engrossed for a third reading.

Mr. Platt, from said committee, reported progress on the 3d and 4th mentioned bills, and asked and obtained leave to sit again thereon.

The President announced the question to be on agreeing to the report of the committee on the first entitled bill.

Mr. Conger moved to lay the said report upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President put the question on the 2nd entitled bill, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Williamsburgh water works company,' passed April 16, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Cornell	Otis	Smith	
Bartlett	Clark	Jones	Pierce	Snow	
Beekman	Conger	Kirby	Platt	Vanderbilt	
Bennett	Cooley	McElwain	Rogers	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Clark, from the committee on engrossed bills, reported the following entitled bill as correctly engrossed:

"An act for the supply of the city of Brooklyn with water."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Cornell	Morgan	Smith	
Bartlett	Clark	Jones	Munroe	Snow	
Beach	Conger	Kirby	Otis	Vanderbilt	
Beekman	Cooley	McElwain	Platt	Williams	
Bennett					22

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

Mr. Clark, from the committee on engrossed bills, reported the following entitled bill as correctly engrossed:

"An act for the relief of the parties interested in certain lands devised by Smith Thompson, deceased."

Ordered, That said bill do have its third reading.

On motion of Mr. Babcock, the Senate adjourned until ten o'clock a.m., to morrow.

TUESDAY, JUNE 2, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Palmer.

The journal of yesterday was read and approved.

Mr. Morgan presented a memorial from the board of supervisors of the city of New-York, for a law reducing the number of judges of the superior court of the city of New-York, from six to four, which was referred to the committee on the judiciary.

Mr. Morgan presented a remonstrance from W. B. Astor and other citizens of New-York, against the "Jones Wood Park," which was referred to the select committee.

Mr. Davenport presented a petition from the citizens of Jefferson county, for the passage of a bill entitled "An act to prevent the re-issue of the circulating notes of banks whose charters have expired," which was committed to the committee of the whole.

Mr. Clark presented a petition from the citizens and tax-payers of Ontario county, for a repeal of the law exempting fifteen hundred dollars of clergymen's property from taxation, which was referred to the committee on the internal affairs of towns and counties.

Mr. Upham presented a petition from the trustees of the village of Lockport, for authority to raise a tax for certain purposes, and also a resolution from the citizens on said subject.

By-unanimous consent,

Mr. Upham asked for and obtained leave to introduce a bill entitled "An act for the relief of the village of Lockport," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Babcock presented an invitation of Chapin Mallory and Co., S. G. Chase and Co., and other owners of lines of boats navigating the Erie canal, to the members of the legislature, for an excursion of pleasure upon the Erie canal to Buffalo, and Niagara Falls, *via* Tonawanda.

Mr. Babcock moved that such invitation be accepted, to take effect immediately after the adjournment of the legislature, and called for the ayes and noes.

Debate was had thereon, when

Mr. Bennett moved to refer said invitation to the Senators, from the 25th and 31st districts.

Mr. Bristol moved to lay the whole subject on the table.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol	Kirby	Platt	Snow	Vanderbilt	
Conger	McElwain	Rogers	Taber	Wright	
Cooley	Munroe				12

FOR THE NEGATIVE.

Babcock	Bennett	Davenport	Morgan	Upham	
Bartlett	Clark	Huntington	Otis	Williams	
Beekman	Cornell	Jones	Pierce		15

The President announced the question to be on the motion of Mr. Bennett.

Mr. Babcock moved to refer said motion to committee on canals, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	Kirby	Otis	Smith
Bartlett	Huntington	McElwain	Platt	Snow
Cooley	Jones	Munroe	Rogers	Vanderbilt

FOR THE NEGATIVE.

Bennett	Bristol	Clark	Conger	Cornell	5
---------	---------	-------	--------	---------	---

Mr. Rogers presented the petition of sundry stockholders in the Port Jackson and Union Falls Plank Road Company, asking leave to discontinue a portion of their road, which was referred to the committee on roads and bridges.

Mr. Huntington presented the remonstrance of sundry citizens of Rome, against an amendment of the village charter, which was referred to the committee on the incorporation of cities and villages.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Syracuse Savings Institution,' passed March 30, 1849," reported adversely.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the affirmative.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to authorise school districts in the towns of this State, to raise money to pay librarians," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the memorial of Cornelius Mahoney, for aid in furnishing the blind with music in raised types, moved that said committee be discharged from the further consideration of such memorial, and that the same be referred to the committee on finance.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger, from the committee on literature, to which was referred the petition of trustees of the Palmyra Union School to be placed under the care of the Regents, reported, and asked and obtained leave to introduce a bill entitled "An act in relation to school district number one, in the town of Palmyra, county of Wayne," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act relating to fencing railroads, and to prevent persons from permitting cattle or other animals to run at large thereon," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be referred to a select committee, to report complete.

The President appointed as such committee, Messrs. McElwain, Babcock and Bartlett.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act relative to the fire department of the city of Brooklyn," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to allow the Staten Island Railroad Company to extend the time to commence the construction of their road for two years," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act to authorize the construction of draw bridges over the Flushing and Newtown creeks, in the counties of Queens and Kings, passed April 11, 1853," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to amend an act entitled 'An act relative to savings banks,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of Marquis De La Fayette Birch, to Marquis De La Fayette French," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to divide the 18th ward

of the city of New-York, into two wards," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the board of supervisors of the county of Monroe, to levy a tax upon the town of Pittsford, in said county, to repair roads and bridges in said town," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate to the following entitled bill :

"An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bills :

"An act to amend an act entitled 'An act to incorporate the Genesee Suspension Bridge Company,' passed April 16, 1852."

"An act to authorise religious corporations to change their names."

"An act to amend an act entitled 'An act to authorise a part of the records of the counties of Ontario and Steuben, to be transcribed and deposited in the clerk's office of the county of Yates.'"

"An act to authorise the construction and maintenance of bridges over the Erie canal in the city of Buffalo."

"An act to incorporate the Sixpenny savings bank of the city of New-York."

"An act to confirm the election of village officers in the village of Churchville."

"An act for the construction and maintenance of bridges over the Erie canal in the city of Syracuse."

"An act to amend an act entitled 'An act to incorporate the New-York academy of medicine,' passed June 23, 1851."

"An act to annex part of the town of Newfield, Tompkins co., to the town of Catharine, Chemung co."

Ordered, That the Clerk return said bills to the Assembly.

A message from the Assembly was received and read, informing that they had passed with amendments, the concurrent resolutions for the amendment of the Constitution, in relation to the canals. *

Said amendments having been read,

Mr. Conger moved that the Senate do concur in the same.

Debate was had thereon, when

Mr. Taber called for the special order it being the considera-

tion of the bill entitled "An act to authorise the incorporation of Roman Catholic congregations or societies," and the several bills made a special order therewith.

Mr. Taber moved that the same be made a special order for to-morrow at twelve o'clock, m.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt moved that the several bills made a special order with the catholic bill, so called, be made a special order immediately after the concurrent resolutions in relation to the canals, and said catholic bill are disposed of.

At a quarter before two o'clock, p. m., the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. McElwain asked for and obtained leave to introduce a bill entitled "An act to amend an act to incorporate the village of Attica, passed May 2, 1837, and to extend the boundaries of the same," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

By unanimous consent,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to amend the act to authorise the appointment of commissioners, to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other states and territories, passed April 10, 1850," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, with power to report complete.

By unanimous consent,

On motion of Mr. Morgan,

Resolved, That the bill from the Assembly, to divide the 19th ward in the city of New-York, into two wards, be recommitted to the committee that reported it, with power to report the same complete.

The President announced the question before the Senate to be on the motion of Mr. Vanderbilt, to make certain bills a special order.

Mr. Cornell moved to amend the said motion of Mr. Vanderbilt, by making the canal bills, so called, which had previously been

made a special order with the Catholic bill, for twelve o'clock m. to-day, a special order for to-morrow at twelve o'clock m., and called for the ayes and noes thereon.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Jones	Otis	Pierce	
Cornell					6

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Rogers	Vanderbilt	
Beekman	Cooley	Morgan	Smith	Van Schoonhoven	
Bennett	Huntington	Newcomb	Snow	Williams	
Bristol	Kirby	Platt	Upham		19

The President put the question on Mr. Vanderbilt's motion, to make the canal bills the special order immediately after concurrent canal resolutions and Catholic bill are disposed of, and it was decided in the affirmative.

The President announced the question before the Senate to be on the motion of Mr. Conger, to concur in amendments of Assembly to concurrent resolutions of the Senate in relation to canals.

Debate was had thereon, when, by unanimous consent,

On motion of Mr. Huntington, the vote on concurring with the amendments of the Assembly to the Senate bill entitled "An act to amend the charter of the Watertown and Rome railroad company, and to extend the time for the final completion of their road," were reconsidered.

By unanimous consent,

A message was received from the Assembly in the following words, to wit:

Resolved, That the Senate be requested to return Senate bill No. 112, entitled "An act to amend the charter of the Watertown railroad company, and to extend the time for the final completion of this road," to this House, for the purpose of being amended, as reported from the railroad committee, and as it was supposed to be passed by this House.

The said bill was then returned to the Assembly, agreeably with the above resolution.

A message from the Assembly was received and read, informing that they had passed, with amendments, the following entitled bill: "An act appropriating the Literature and United States Deposit Fund."

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly, for concurrence entitled "An act further to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors, passed April 26, 1851,' which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on the judiciary.

The President announced the question to be on the motion of Mr. Conger to concur in the amendments of the Assembly, to the concurrent resolutions of the Senate in relation to an amendment of the Constitution.

Debate was had thereon, when

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the motion of Mr. Conger, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Davenport	Pierce	Rogers	
Conger					6

FOR THE NEGATIVE.

Babcock	Huntington	Morgan	Platt	Vanderbilt	
Bristol	Jones	Munroe	Snow	VanSchoonhoven	
Clark	Kirby	Newcomb	Taber	Williams	
Cooley	McElwain	Otis	Upham		19

Mr. Bartlett moved that a committee of conference be appointed, on the part of the Senate, to meet a similar committee on the part of the Assembly, in relation to the said resolutions.

Mr. Bristol moved to amend by appointing Messrs. Vanderbilt, Rogers and Upham, as such committee.

Debate was had thereon, when

Mr. Taber moved to lay the question before the Senate, on the table, and that the same be made the special order for to-morrow, immediately after the presentation of petitions.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Newcomb	Taber	Vanderbilt	
Bennett	Huntington	Platt	Upham	VanSchoonhoven	
Bristol	Kirby	Rogers			14

FOR THE NEGATIVE.

Bartlett	Conger	Davenport	Pierce	Snow	
Clark	Cornell	Jones	Smith		p

By unanimous consent,

Mr. Taber offered the following concurrent resolution:

Whereas, No member of the joint committee, to examine the treasurers account, has been appointed, on the part of the Senate, under the 2d section of Chapter 218, of the Laws of 1841, and the members of said committee, on the part of the Assembly, have been appointed by inadvertence, before any concurrent resolution for that purpose has been adopted by the Senate, therefore

Resolved, (If the Assembly concur,) that a joint committee, consisting of one member of the Senate and two of the Assembly, be appointed, by ballot, to examine into the accounts of the treasurer and bank department, pursuant to the section and chapter above cited, and the laws therein amended and referred to.

The said resolutions were laid on the table.

On motion of Mr. Cornell, and by unanimous consent,

Resolved, That the consideration of the Senate bill entitled "An act to prevent the sale of intoxicating liquors as a beverage," be made the special order for Saturday next, immediately after the reading of the journal.

A message from the Governor, was received and read, in the words following, to wit :

HON SANFORD E. CHURCH,

President of the Senate:

I herewith transmit to you a communication from the Department of State at Washington, accompanying a correspondence in relation to a subject of great importance to the public health.

HORATIO SEYMOUR.

On motion of Mr. Babcock,

The Senate adjourned to ten o'clock, a. m., to-morrow.

FRIDAY, JUNE 3, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Vanderbilt presented the petition of citizens of Newtown, in relation to the Newtown Bridge and Turnpike Road Company, which was referred to the committee on roads and bridges.

Mr. Babcock presented the invitation of W. J. McAlpine and others interested in railroads and steamboats, for privilege to pass members of the Legislature and State officers on an excursion from New-York city, by the New-York and Erie, Buffalo and New-York city railroad companies, to Buffalo, and by steamers to Cleveland, and return.

Mr. Upham moved to refer said invitation to the committee on canals.

Mr. Cornell moved to amend, by referring to the committee on commerce and navigation.

Debate was had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Cornell

1

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Otis	Snow
Bartlett	Conger	Morgan	Platt	Upham
Beekman	Cooley	Munroe	Rogers	Vanderbilt
Bennett	Davenport	Newcomb	Smith	Williams
Bristol	Huntington			

22

Mr. Upham withdrew his said motion to refer to the committee on canals.

Mr. Bristol moved that the Senate do accept the said invitation, and will, as soon as convenient, fix some day after the adjournment of the Legislature, for the excursion.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President presented a communication from the executive committee of the New-York city temperance alliance, in favor of a bill to suppress intoxicating drinks, reported by the select committee of the Assembly, which was committed to the committee of the whole.

By unanimous consent,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to amend the act to regulate the compensation of the assessors of the street department of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The President announced the special order, it being the consideration of motions for the appointment of a conference committee in relation to the concurrent resolutions for an amendment of the Constitution in reference to canals, and that the question before the Senate was the motion of Mr. Bristol to appoint Messrs. Vanderbilt, Rogers and Upham, as such committee.

Debate was had thereon, when

Mr. Cornell moved to amend, by striking out the names mentioned therein, and inserting "and that the President appoint said committee."

Debate was had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Jones	Rogers	Smith
Conger	Davenport	Pierce		

8

FOR THE NEGATIVE.

Beach	Huntington	Morgan	Snow	Vanderbilt
Bennett	Kirby	Newcomb	Taber	VanSchoonhoven
Bristol	McElwain	Platt	Upham	Williams
Clark				

16

The President announced the question to be on the motion of Mr. Bristol, to appoint Messrs Vanderbilt, Rogers and Upham, a committee of conference.

Mr. Conger moved the following amendment thereto: "And it shall be the duty of the said committee to assign to the conferees which may be appointed by the Hon. the Assembly, as some of the reasons of the Senate for their non-concurrence in the amendment proposed by the Assembly, the following, to wit:

1. That the Senate are desirous that no plan to amend the Constitution should be proposed which should, by implication, revive the operation of chapter 485, of the Laws of 1851.

2: And that they deem it desirable to prevent future action in any way, whether by act of the Legislature or of the Canal Board, on the contracts alleged to have been made under that law.

3. And also to prevent the holders of the canal revenue certificates issued under that law, from receiving any additional premium on the same, by any implied cognizance of their right to hold the same until the time expressed on the face of the said certificates.

4. And also to reject from any proposed amendment, any scheme of interference with the claim of the General Fund on the remainder of the canal revenues, for the interest of moneys heretofore advanced to the said canals by the people of this State, by direct taxation and the sale of the public property.

5. And also to retain the constitutional limit over the power of the Legislature, to make appropriations from the remainder of the canal revenues when the canals are completed, and thus to secure at that period, the time honored policy of the State, that the rates of tolls on property to be transported thereon, shall be so low as to prevent any successful competition with them by the public works in other locations.

Debate was had on said amendment, when

Mr. Conger called for a division of the question, as contained in said amendment offered by him.

The President announced the question to be on the first division or proposition.

Mr. Conger called for the ayes and noes.

A message from the Assembly was received and read, informing that they had passed, without amendments, the following entitled bills:

"An act for the supply of the city of Brooklyn, with water."

"An act in relation to the American and Foreign Bible Society."

"An act relative to common schools in the city of New-York."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bills:

"An act to amend an act entitled 'An act to incorporate the

Williamsburgh waterworks company, passed April 16, 1852.”

“An act to facilitate the forming of agricultural and horticultural societies.”

“An act to construct certain roads from the settlements in Lewis county, to Browns’ tract, in Herkimer county.”

“An act to amend the act to authorise the formation of corporations for manufacturing, mining, mechanical and chemical purposes.”

The hour of 2½ o’clock P. M. having arrived, the Senate took a recess until 4 o’clock, P. M.

FOUR O’CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled “An act relative to lands held in trust by William H. Leggett, for the benefit of Mary Jagger Barber, wife of William T. Barber, and his descendants,” reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled “An act relative to lands held in trust by William H. Leggett, for the benefit of Susan Post Leggett, wife of Edward H. Leggett and her descendants,” reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled “An act to change the name of Marquis De La Fayette Birch to Marquis De La Fayette French,” reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Taber asked for and obtained leave to introduce a bill entitled “An act in relation to violations of ordinances made by the mayor, aldermen, and commonalty of the city of Albany,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on cities and villages.

By unanimous consent,

Mr. McElwain, from the select committee, to which was referred the bill entitled “An act relating to the fencing of railroads, and to prevent persons from permitting cattle and other animals to run at large thereon,” with power to report complete, so re-

ported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Vanderbilt, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to non-resident highway taxes upon certain lands in the counties of Warren, Essex and Hamilton," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

The President announced the question before the Senate to be on the first proposition contained in the amendments offered by Mr. Conger, before the recess, to the motion on the amendment of Mr. Bristol in relation to the appointment of a committee of conference.

Mr. Conger withdrew the amendment previously offered by him and offered the following as a substitute therefor.

And it shall be the duty of the said committee to assign to the conferee which may be appointed by the Hon. the Assembly, as some of the reasons of the Senate in the present case of difference between the two Houses, the following, to wit:

1. That the Senate are desirous that no plan to amend the Constitution should be approved, which should, by implication revive the operation of Chapter 485, of the Laws of 1851.

2. And that they deem it desirable to prevent future action in any way, whether by act of the Legislature, or of the Canal Board on the contracts alleged to have been made under that law.

3. And also to prevent the holders of the canal revenue certificates, issued under that law, from receiving any additional premium on the same, by any implied acknowledgment of their right to hold the same, until the time expressed in the said certificates.

4. And also to reject, from any proposed amendment, any scheme of interference with the claim of the General Fund, on the remainder of the canal revenues for the interest of the monies heretofore advanced to the said canals by the people of this State by former taxation, and the sale of the public property.

5. And also to retain the constitutional limit over the power of the Legislature to make appropriations from the remainder of the canal revenues, when the canals are completed, and thus to secure, at that period, the time-honored policy of the State by which the rates of tolls on property to be transported thereon, shall be so low as to prevent any successful competition with them by the public improvements of other States or the Canadas.

Mr. Conger called for a division of the question contained in said amendment.

The President announced the question to be on the first proposition therein.

Debate was had thereon, when

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree

to the first proposition of said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Jones	Rogers	Smith	
Conger					6

FOR THE NEGATIVE.

Beach	Clark	Kirby	Platt	Vanderbilt.	
Bennett	Cooley	McElwain	Taber	VanSchoonhoven	
Bristol	Huntington	Newcomb	Upham		14

The President then put the question whether the Senate would agree to the second proposition of said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Jones	Rogers	Smith	
Conger					6

FOR THE NEGATIVE.

Beach	Clark	Kirby	Taber	Vanderbilt	
Bennett	Cooley	Newcomb	Upham	VanSchoonhoven	
Bristol	Huntington				12

The President then put the question whether the Senate would agree to the third proposition of said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Davenport	Jones		4
----------	--------	-----------	-------	--	---

FOR THE NEGATIVE.

Beach	Huntington	Munroe	Rogers	Upham	
Bennett	Kirby	Newcomb	Smith	Vanderbilt	
Clark	McElwain	Platt	Taber	VanSchoonhoven	
Cooley					16

The President then put the question whether the Senate would agree to the fourth proposition of said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger				2
----------	--------	--	--	--	---

FOR THE NEGATIVE.

Beach	Cooley	McElwain	Rogers	Upham	
Bristol	Huntington	Munroe	Smith	Vanderbilt	
Clark	Kirby	Platt	Taber	VanSchoonhoven	
					15

The President then put the question whether the Senate would agree to the fifth proposition of said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Conger

FOR THE NEGATIVE.

Beach	Cooley	McElwain	Rogers	Vanderbilt
Bristol	Huntington	Munroe	Taber	Ward
Clark	Kirby	Platt	Upham	14

The President announced the question to be on Mr. Bristol's amendment, for the appointment of Messrs. Vanderbilt, Rogers and Upham, a committee of conference on the part of the Senate, in relation to the concurrent resolutions for an amendment of the Constitution, for the completion of the canals.

Mr. Taber called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Cooley	McElwain	Platt	Vanderbilt
Bennett	Huntington	Munroe	Snow	Van Schoonhoven
Bristol	Kirby	Newcomb	Taber	Williams
Clark				16

FOR THE NEGATIVE.

Bartlett	Conger	Cornell	Davenport	Jones	5
----------	--------	---------	-----------	-------	---

The President then announced the question to be on the motion of Mr. Bartlett, for the appointment of a committee of conference, as amended by the amendment of Mr. Bristol.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Pierce, from the committee on canals, to which was referred an invitation of forwarders, to members of the Legislature, to take a trip to Niagara Falls, by way of Tonawanda, on any of their lines of boats, reported the following :

Resolved, That the condition of the public business does not admit of the Legislature making a trip to Niagara, via the Erie canal, at this time, in pursuance of an invitation to that effect; and therefore, that said invitation be respectfully declined.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

A message from the Assembly, was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act to incorporate the Widows and Orphans' Fund of the Associate Presbyterian Church of North America."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Davenport	McElwain	Smith	Upham
Bristol	Huntington	Otis	Snow	Vanderbilt
Clark	Jones	Platt	Taber	Williams
Conger	Kirby	Rogers		18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

A message from the Assembly, was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act relative to the terms of the city court of Brooklyn."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Huntington	Munroe	Platt	Upham
Bartlett	Jones	Newcomb	Smith	Vanderbilt
Clark	Kirby	Otis	Snow	Williams
Conger	McElwain	Pierce	Taber	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in said amendments.

The Assembly bill entitled "An act to authorize the Angelica and Belvidere plank road company, to erect gates two miles apart on their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	Kirby	Rogers	Upham
Bartlett	Davenport	McElwain	Smith	Vanderbilt
Clark	Huntington	Munroe	Snow	Williams
Conger	Jones	Platt		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Babcock asked and obtained leave to introduce a bill entitled "An act to authorize the Buffalo and Pittsburgh railroad company to terminate its road on the northerly line of Pennsylvania," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on rail roads to report complete.

By unanimous consent,

The bill entitled "An act for the relief of the village of Lockport," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Otis	Snow
Beach	Cornell	Kirby	Platt	Upham
Bennett	Davenport	McElwain	Rogers	Vanderbilt
Bristol	Huntington	Newcomb	Smith	Williams
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to amend section nine, of chapter 250, of the laws of 1849," was read a third time, and by unanimous consent, was laid upon the table.

By unanimous consent,

Mr. Taber called up the concurrent resolutions offered by him, in relation to the appointment of a joint committee for the examination of the treasury, canal and bank department.

The President put the question on agreeing to the said resolutions, and it was decided in the affirmative.

Mr. McElwain moved that when the Senate adjourns it adjourn to Monday next at 6 o'clock P. M.

Debate was had thereon, when

Mr. Babcock moved to amend by striking out "6 o'clock, P. M.," and inserting in lieu "11 o'clock, A. M."

Debate was had thereon, when

Mr. Cooley moved that the Senate do now adjourn, and called for the ayes and noes.

The President put the question whether the Senate would agree to the motion of Mr. Cooley, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Otis	Smith	Taber
Conger	Jones	Pierce		

8

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Snow	Ward
Bennett	Huntington	Platt	Vanderbilt	Wright
Bristol	Kirby	Rogers	VanSchoonhoven	

14

The President announced the question on Mr. Babcock's amendment.

Mr. Babcock withdrew the same.

The President announced the question to be on Mr. McElwain's motion for adjournment to Monday next, at 6 o'clock, P. M.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the motion of Mr. McElwain, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bennett	Kirby	Rogers	Vanderbilt	Ward	
Bristol	McElwain	Snow	VanSchoonhoven	Wright	
Huntington					11

FOR THE NEGATIVE.

Babcock	Cooley	Munroe	Pierce	Smith	
Bartlett	Davenport	Otis	Platt	Taber	
Conger	Jones				12

Mr. Munroe moved that the Senate do now adjourn.

Mr. Snow called for the ayes and noes.

The President put the question whether the Senate would agree to the motion of Mr. Munroe, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Munroe	Pierce	Taber	
Conger	Jones	Otis	Smith	Vanderbilt	10

FOR THE NEGATIVE.

Babcock	Cornell	Kirby	Rogers	Ward	
Bennett	Davenport	McElwain	Snow	Wright	
Bristol	Huntington	Platt	VanSchoonhoven		14

Mr. McElwain moved that when the Senate adjourns, it will adjourn to meet at 11 o'clock, A. M.

Debate was had thereon, when

Mr. Rogers moved to amend by striking out "11 o'clock, A. M.," and inserting "6½ o'clock, P. M."

Debate was further had thereon, when

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the amendment offered by Mr. Rogers, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	McElwain	Snow	Ward	
Bennett	Huntington	Rogers	VanSchoonhoven	Wright	
Bristol	Kirby				12

FOR THE NEGATIVE.

Babcock	Conger	Jones	Pierce	Smith	
Bartlett	Cooley	Munroe	Platt	Taber	
					10

On motion of Mr. Wright,

The Senate then adjourned to 6½ o'clock, P. M. Monday.

MONDAY, JUNE 6, 1853.

The Senate met pursuant to adjournment.

On motion of Mr. Van Schoonhoven,
The Senate adjourned to 11 o'clock, A. M., to-morrow.

TUESDAY, JUNE 7, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Salisbury.

The journals of Friday last and yesterday were read and approved.

Mr. Cooley presented the memorial of citizens of New-York, for a repeal of the act entitled "An act for the protection of emigrant passengers, passed April 13, 1853," which was referred to a select committee of Senators from the first, fourth, fifth and sixth districts.

Mr. Vanderbilt presented the remonstrance of owners of property on South-Tenth street, in Williamsburgh, against closing said street, which was referred to the committee on the incorporation of cities and villages.

Mr. McElwain presented a resolution of trustees of the village of Attica, to amend its charter; also, the petition of citizens of said village on the same subject, which were referred to the committee on the incorporation of cities and villages.

On motion of Mr. Cooley, and by unanimous consent,

The committee of the whole were discharged from the further consideration of the Assembly bill entitled "An act providing for the appointment of an additional number of notaries public in the city and county of New-York," and the same was ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bennett	Cooley	Kirby	Pierce	Snow
Bristol	Davenport	McElwain	Platt	Vanderbilt
Clark	Huntington	Munroe	Rogers	Williams
Conger	Jones	Otis		

18

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A bill was received from the Assembly for concurrence, entitled "An act to vest certain powers in the trustees of the village of Cherry Valley and for other purposes," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to authorise the city of Buffalo to loan its bonds to the Buffalo and Pittsburgh Railroad Company,' passed April 15, 1853," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A message from the Assembly, was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act to amend the charter of the Watertown and Rome Railroad Company, and to extend the time for the final completion of the road."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Otis	Snow
Bennett	Cooley	Kirby	Pierce	Vanderbilt
Bristol	Davenport	McElwain	Platt	Wright
Clark	Huntington	Munroe	Rogers	

19

FOR THE NEGATIVE.

Williams

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

In pursuance of previous notice,

Mr. Platt asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to public schools in the city of Oswego,' passed April 5, 1853," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act relative to the compensation of persons in

the employ of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

The bill entitled "An act to change the name of the American Oil Company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Snow
Bennett	Cooley	McElwain	Rogers	Vanderbilt
Bristol	Davenport	Munroe	Smith	Wright
Clark	Jones	Otis		

18

FOR THE NEGATIVE.

Williams	1
----------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the sale of lands belonging to the State in the Niagara river reservation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Pierce	Smith
Beekman	Cooley	Newcomb	Platt	Snow
Bristol	Davenport	Otis	Rogers	Vanderbilt
Clark	Kirby			

17

FOR THE NEGATIVE.

Jones	Williams,	Wright	3
-------	-----------	--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to change the name of Marquis De La Fayette Birch, to Marquis De La Fayette French," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Otis	Vanderbilt.
Beekman	Conger	McElwain	Platt	Williams
Bennett	Davenport	Munroe	Rogers	Wright
Bristol	Jones	Newcomb	Smith	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to alter the Commissioners' map of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Snow
Beekman	Cooley	McElwain	Pierce	Vanderbilt
Bennett	Davenport	Munroe	Platt	Williams
Bristol	Jones	Newcomb	Smith	Wright
Clark			/	

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act in relation to non-resident highway taxes upon certain lands in the counties of Warren, Essex and Hamilton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beekman	Conger	McElwain	Platt	Vanderbilt
Bennett	Davenport	Munroe	Rogers	Williams
Bristol	Jones	Newcomb	Smith	Wright
Clark	Kirby	Otis	Snow	

19

FOR THE NEGATIVE.

Babcock

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to establish free schools in school district number one, of the town of West Farms, Westchester county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Otis	Snow
Beekman	Cooley	McElwain	Pierce	Vanderbilt

Bennett
Bristol
Clark

Davenport
Jones

Manroe
Newcomb

Platt
Rogers

Williams
Wright

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act to divide the eighteenth ward of the city of New-York into two wards," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett
Bennett
Bristol
Clark

Conger
Cooley
Huntington
Jones

Kirby
McElwain
Manroe

Otis
Platt
Rogers

Snow
Williams
Wright

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the better security of mechanics and others erecting buildings, performing work or furnishing materials therefor in the county of Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock
Bartlett
Beekman
Bennett

Bristol
Clark
Conger
Davenport

Huntington
Jones
Kirby
McElwain

Manroe
Newcomb
Otis
Platt

Upham
Vanderbilt
VanSchoonhoven
Williams

20

FOR THE NEGATIVE.

Cooley.

Wright

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A resolution from the Assembly was received and read, in the words following, to wit:

Resolved, (If the Senate concur,) That a committee of the House be appointed to confer with a committee of the Senate, upon the selection of a time after the adjournment, for the excursion upon which the Legislature have been invited by the Erie Railroad Company.

Ordered, That said resolution be laid on the table.

The bill entitled "An act for the relief of the parties interested in certain lands devised by Smith Thompson, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Pierce	Upham
Beekman	Huntington	Munroe	Platt	Vanderbilt
Bristol	Jones	Newcomb	Rogers	Williams
Clark	Kirby	Otis	Smith	Wright
Cooley				

21

Ordered, That the Clerk deliver the said bill to the Assembly and request their concurrence therein.

The bill entitled "An act to amend section nine, of chapter 250, of the laws of 1849, was read a third time.

Mr. Babcock moved to recommit said bill to the committee of the whole.

Debate was had thereon, when

Mr. Conger moved to amend so that said bill be referred to the committee on roads and bridges, with instructions so to amend it as to make the penalty prescribed in the first section attach to cases where the logs or timber are drawn upon the premises of the plank road company, and cause obstructions either to passengers thereon, or to any sluice, ditch, culvert, or drain, and that the committee have power to report the bill, as amended, complete.

Debate was had thereon, when

Mr. Van Schoonhoven moved that the Senate do now go into committee of the whole on said bill.

The President put the question whether the Senate would agree to the said motion of Mr. Van Schoonhoven, and it was decided in the affirmative.

On motion of Mr. Cooley, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act relative to savings banks or institutions for savings in the city and county of New-York, and the county of Kings, passed April 15, 1853.'"

Ordered, That said bill be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, on the following entitled bill:

"An act to amend section nine, of chapter 250, of the laws of 1849," and after some spent thereon, Mr. Jones, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to.

The hour of 2½ o'clock having arrived the Senate took a recess until 4 o'clock, P. M.

FOUR O'CLOCK, P. M.

By unanimous consent,

Mr. Pierce asked for and obtained leave to introduce a bill entitled "An act to authorise the treasurer of the county of Ulster, to loan money for the erection of a county poor house," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act in relation to school district number one, in the town of Palmyra, in the county of Wayne."

"An act to authorise stockholders of railroad and plank road companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages."

"An act for the appraisement of canal damages of John H. Stafford."

"An act in reference to the Munro Academy."

Ordered, That said bills do have their third reading.

By unanimous consent,

Mr. Vanderbilt presented a petition from William Havelard and others, relative to closing South 10th-street, in Williamsburgh, Long Island," which was referred to the committee on cities and villages.

By unanimous consent,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act relative to the Superior Court of the city of New-York," which was read the first time, and by unanimous consent, was also read the second time, and referred to the committee on judiciary.

On motion of Mr. Snow and by unanimous consent,

Resolved, That so much of the general orders as are not embraced in the resolution raising a committee of eight, be made the special order for Thursday next, immediately after the presentation of petitions.

By unanimous consent,

Mr. Platt offered the following:

Resolved, That Assembly bill entitled "An act to provide for the licensing and government of the pilots, and regulating pilotage in the city of New-York, be taken from the general orders, and made the special order immediately after the disposition of the Catholic bill, and the three canal bills.

Mr. Vanderbilt moved to amend so that said bill be made a special order now.

The President put the question whether the Senate would agree to the said motion of Mr. Vanderbilt, and it was decided in the negative.

The President put the question whether the Senate would agree to the resolution offered by Mr. Platt, and it was decided in the affirmative.

The Assembly bill entitled "An act to establish free schools in school district number four, in the town of East Chester, Westchester county, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Platt	Upham
Bartlett	Conger	Munroe	Rogers	Vanderbilt
Beekman	Cornell	Newcomb	Smith	Williams
Bennett	Davenport	Otis	Snodgrass	Wright.
Bristol	Jones			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to restrict and regulate the power of municipal corporations, to borrow money, contract debts, and loan their credit," having been read a third time.

On motion of Mr. Williams, and by unanimous consent,

The Senate then resolved itself into a committee of the whole on said bill,

And after some time spent thereon, Mr. Clark, from said committee, reported in favor of the passage of said bill with amendments.

The President announced the question to be on agreeing to the report of said committee.

Mr. Babcock moved to lay said motion on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Pierce,

The bill entitled "An act to amend title six, chapter seven, of the first part of the Revised Statutes," was recommitted to the committee on public expenditures, for the purpose of amendment, and also with power to report the same complete.

A message was received from the Assembly, informing that Messrs. Loomis, West, Champlain, Case and Littlejohn, are a committee of conference on the part of the Assembly, upon the resolutions in regard to the amendment of the Constitution, in relation to the canals.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills :

"An act to reorganize the first regiment of New-York volunteers, and other soldiers engaged in the late war with Mexico, into an independent battalion for ten years."

"An act to incorporate the Ithaca water works company."

"An act to amend an act entitled 'An act to incorporate the Greenwood cemetery,' passed April 18, 1838."

"An act to amend an act to provide for the erection of a city hall in Utica, passed April 8, 1850."

"An act to change the name of the village of Mile Square in the county of Westchester."

"An act to amend the charter of the Ulster county savings bank."

"An act for the incorporation of library companies."

"An act to authorise the trustees of the village of Geddes, to sell their cemetery ground, and to remove the remains of the dead buried therein to a new burying ground."

"An act to enable the Bristol centre and South Bristol plank road company, to complete and keep in repair their road."

"An act to define the boundary line between certain towns in the county of Essex."

"An act to amend an act entitled 'An act for the improvement of the highways, in the county of Richmond,' passed May 7, 1847."

"An act for the relief of consolidated school district, No. 10, in the town of Warsaw, Wyoming county."

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Upham,

The Senate adjourned until 10 o'clock, a.m., to-morrow.

WEDNESDAY, JUNE 8, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jeffreys.

The journal of yesterday was read and approved.

Mr. Bartlett presented a memorial from John T. Brady, and many other citizens of New-York city, for establishing Jones Wood Park, which was referred to the select committee.

Mr. Beekman presented a petition from the National Mining Company, for an act of incorporation, which was referred to the committee on banks and insurance companies.

Mr. Beekman presented a petition from the members of the missionary society of Methodist Episcopal church, for amendment of an act incorporating said society, which was referred to a select committee.

Mr. Beekman presented a memorial from Charles B. Morrell, and many other residents of the nineteenth ward of the city of New-York, for division of that ward, which was referred to the committee on cities and villages.

Mr. Beekman presented a memorial from John Cottar, and

many other citizens of New-York city, for establishing Jones Wood park, which was referred to the select committee.

Mr. Morgan presented a memorial from Charles E. Babcock, and many other citizens of New-York, for establishing Jones Wood Park, which was referred to the select committee.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to incorporate the village of Attica, passed the 2d of May, 1837, and to extend the boundaries of the same," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to provide for the erection of a county poor house, in the county of Ulster," reported in favor of the passage of the same.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act to incorporate the missionary society of the Methodist Episcopal church," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to authorise the more speedy trial and termination of a certain suit pending against the people of this State and others," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

The bill entitled "An act to amend section 9, of chapter 250, of the laws of 1849, entitled 'An act in relation to plank roads and turnpike roads, and also in reference to obstructions on public highways,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Smith
Bartlett	Davenport	McElwain	Pierce	Upham
Beekman	Huntington	Morgan	Platt	Vanderbilt
Bristol	Jones	Newcomb	Rogers	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Canal Commissioners to construct a bridge across the Mohawk river, at Cohoes," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills:

"An act to authorise the minister, elders and deacons of the Reformed Dutch Church, on the corner of Green and Houston streets, in the city of New-York, to change their name."

"An act to amend the act entitled 'An act to authorise the election of police officers in the town of Newburgh,' passed March 12, 1852."

"An act for the relief of the village of Lockport."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered, the following entitled bill:

"An act to amend an act entitled 'An act in relation to the Recorder's court of the city of Buffalo.'"

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Snow	
Bartlett	Cornell	McElwain	Pierce	Upham	
Bennett	Davenport	Morgan	Platt	Williams	
Bristol	Jones	Newcomb	Smith		19

FOR THE NEGATIVE.

Munroe

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

The bill entitled "An act to amend an act entitled 'An act in relation to the public schools in the city of Oswego,' passed April 5, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Newcomb	Smith	
Bartlett	Cornell	McElwain	Otis	Snow	
Bennett	Davenport	Morgan	Pierce	Upham	
Bristol	Jones	Munroe	Platt	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to school district number one, in the town of Palmyra," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Bennett	Conger	Smith	Snow	
Beckman	Bristol	Davenport			8

FOR THE NEGATIVE.

Babcock	Kirby	Newcomb	Pierce	Upham	
Cornell	McElwain	Otis	Platt	Williams	
Jones					11

Mr. Pierce moved that said vote be reconsidered, and that such motion do lay upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled "An act for the appraisalment of canal damages of John H. Stafford," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Pierce	Snow	
Bartlett	Conger	Munroe	Platt	Upham	
Beckman	Davenport	Otis	Rogers	Williams	
Bennett	Jones				17

FOR THE NEGATIVE.

McElwain	Morgan	Newcomb	Smith		4
----------	--------	---------	-------	--	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in reference to the Munro academy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Otis	Smith	
Bartlett	Davenport	Morgan	Pierce	Snow	
Beckman	Jones	Munroe	Platt	Upham	
Bennett	Kirby	Newcomb	Rogers	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to vest certain powers in the trustees of the village of Cherry Valley, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Otis	Smith	
Bartlett	Conger	McElwain	Pierce	Snow	
Beekman	Davenport	Morgan	Platt	Upham	
Bennett	Jones	Newcomb	Rogers	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the board of supervisors of the county of Monroe, to levy a tax upon the town of Pittsford, in said county, to repair roads and bridges in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Newcomb	Rogers	
Bartlett	Conger	Kirby	Otis	Smith	
Beekman	Cornell	McElwain	Pierce	Upham	
Bennett	Davenport	Morgan	Platt	Williams	
Bristol					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to revise and amend the several acts relating to the city of Brooklyn, passed April 4, 1850, and the act amending the same,' passed June 19, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Rogers	
Bartlett	Conger	Kirby	Newcomb	Smith	
Beekman	Cornell	McElwain	Otis	Upham	
Bennett	Davenport	Morgan	Platt	Williams	
Bristol					21

Ordered, That the Clerk return said bill to the Assembly, with

a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to exempt the assay office of the United States in the city of New-York, from assessment or tax," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Rogers
Bartlett	Conger	Kirby	Newcomb	Smith
Beckman	Cornell	McElwain	Otis	Snow
Bennett	Davenport	Morgan	Platt	Upham
Bristol				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed, the following entitled bills :

"An act in relation to highways and bridges."

"An act to amend the act entitled 'An act to authorise the business of banking, passed April 18, 1838,' and the acts amending the same."

"An act to amend the act to incorporate the New-York juvenile asylum, passed June 30, 1851."

"An act relative to the fire department of the city of Brooklyn."

"An act to authorise any railroad company in this State, to subscribe to the stock of the Attica and Allegany Valley Railroad Company."

"An act to amend the charter of the Marine society of the city of New-York, in the State of New-York."

Ordered, That said bills do have their third reading.

The Assembly bill entitled "An act to aid in the erection of a monument commemorative of the Declaration of American Independence," having been read a third time,

On motion of Mr. Conger,

Said bill was committed to the committee of the whole.

By unanimous consent,

Mr. Pierce, from the committee on canals, to which was referred the Assembly bill entitled "An act authorising the Canal Commissioners to construct a bridge across the Mohawk river, at Cohoes," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Said bill was then read a third time, when

[SENATE JOURNAL.]

Mr. Conger moved to recommit the same to the committee on canals, with instructions to amend the same, so as to authorise the Canal Commissioners to erect a separate tow-path bridge for the use of the canals.

Debate was had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Cornell	Morgan	Otis	
Bartlett	Conger	Jones	Newcomb	Williams	
Beckman					11

FOR THE NEGATIVE.

Bennett	Davenport	Pierce	Rogers	VanSchoonhoven	
Clark	McElwain	Platt	Smith		9

The bill entitled "An act in relation to highways and bridges," having been read a third time,

On motion of Mr. Williams,

Said bill was committed to the committee of the whole.

The bill entitled "An act to provide for the erection of a county poor house, in the county of Ulster," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Davenport	Morgan	Platt	
Bartlett	Clark	Jones	Newcomb	Rogers	
Beckman	Conger	Kirby	Otis	Snow	
Bennett	Cornell	McElwain	Pierce	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act to authorise the city of Buffalo to loan its bonds to the Buffalo and Pittsburgh Railroad Company, passed April 15, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Cornell	McElwain	Otis	
Bartlett	Clark	Davenport	Morgan	Pierce	
Beckman	Conger	Jones	Munroe	Platt	
Bennett	Cooley	Kirby	Newcomb	Rogers	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to amend the act entitled 'An act to authorise the business of banking, passed April 18, 1838,' and the acts amending the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Pierce	
Bartlett	Conger	Kirby	Newcomb	Rogers	
Beekman	Cooley	McElwain	Otis	Snow	
Bristol	Davenport	Morgan			18

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

Mr. Bristol moved that the vote recommitting the bill entitled "An act authorising the Canal Commissioners to construct a bridge across the Mohawk river, at Cohoes," to the committee on canals, be reconsidered.

Mr. Cornell moved to lay said motion on the table, and called or the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Beekman	Cornell	Kirby	Newcomb	
Bartlett	Conger	Jones	Munroe		9

FOR THE NEGATIVE.

Bennett	Cooley	Morgan	Platt	VanSchoonhoven	
Bristol	Davenport	Otis	Snow	Williams	
Clark	McElwain	Pierce			13

The President announced the question to be on Mr. Bristol's motion to reconsider.

Debate was had thereon, when

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beekman	Cooley	Newcomb	Platt	Upham	
Bristol	Davenport	Pierce	Snow	VanSchoonhoven	
Clark	McElwain				12

FOR THE NEGATIVE.

Babcock	Conger	Cornell	Jones	Morgan	
Bartlett					6

The President announced the question to be on Mr. Conger's motion to recommit said bill with instructions, &c.

Mr. Cornell moved to amend said motion of Mr. Conger, so that the committee on canals be instructed to strike out the enacting clause.

By unanimous consent,

Mr. Cooley presented a remonstrance of merchants of New-York, against the passage of the pilot law, which was committed to the committee of the whole.

At a quarter to two o'clock, p. m., the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

A bill was received from the Assembly for concurrence, entitled "An act to remove the burial ground in the village of Stamford, in the county of Delaware," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on charitable and religious societies, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the public highway through the Chemung narrows in the town and county of Chemung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills:

"An act repealing the charter of the Newburgh and Plattekill turnpike company, and all acts relating thereto."

"An act to authorise the enrolment of decrees of the late court of chancery."

"An act to provide for the instruction of common school teachers."

"An act to amend an act entitled 'An act to provide for free schools in the town of Bushwick, in the county of Kings,' passed October 16, 1847."

"An act to provide for the establishment of Union free schools."

"An act amending the act entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the counties of Westchester, Putnam, Dutchess, Rensselaer, Rockland, Chemung, and the town of Newburgh, in the county of Orange,' passed April 16, 1852."

"An act to amend an act passed March 16, 1850, relating to the village of Whitehall."

"An act for the relief of the legal representatives of Oliver Poole, deceased."

"An act to renew the charter of the State road, from the Orange turnpike to Nyack, in the county of Rockland, as passed on the 20th April, 1830."

"An act to release the interest of the people of the State, in certain real estate in the county of Erie, to Erasta Ann Wright."

"An act for the relief of the village of Ellicottville."

"An act to release the interest of the State in certain lands to Catharine W. Boyd."

Ordered, That the Clerk transmit said bills to the Governor.

On motion of Mr. Morgan, and by unanimous consent,

The bill entitled "An act to authorise the Atlantic Dock Company to construct and build docks, wharves, bulkheads, piers and basins, in front of their lands in the city of Brooklyn and part of New-York," was taken from the committee of the whole and referred to the committee on commerce and navigation with power to report complete.

On motion of Mr. Munroe, and by unanimous consent,

Resolved, That Assembly bill No. 205 now on the table, be recommitted to the committee on roads and bridges.

By unanimous consent,

Mr. Cornell asked for and obtained leave to introduce a bill entitled "An act to authorise the Delaware and Susquehanna plank road company to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, to report complete.

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered the following entitled bill:

"An act to amend an act entitled 'An act to amend an act in relation to the incorporation of the village of Le Roy,' passed April 6, 1852."

The said amendments having been read,

The President put the question whether the Senate would agree to the amendments to said bill and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Newcomb	Platt
Beckman	Cornell	Morgan	Otis	Smith
Bristol	Davenport	Munroe	Pierce	Williams
Conger	Jones			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the said amendments.

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered, the following entitled bill:

"An act to amend an act entitled 'An act authorizing a permanent plan to be made for the locating of streets, roads, and avenues, in the town of Bushwick, in the county of Kings,' passed April 14, 1852."

The said amendments having been read,

The President put the question whether the Senate would agree to the amendments to said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cornell	McElwain	Newcomb	Platt
Beekman	Davenport	Morgan	Otis	Smith
Conger	Jones	Munroe	Pierce	Williams
Cooley	Kirby			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the said amendments.

The bill entitled "An act to authorise any railroad company in this State, to subscribe to the stock of the Attica and Allegany railroad company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Newcomb	Platt
Beekman	Davenport	Morgan	Otis	Smith
Bristol	Kirby	Munroe	Pierce	Williams

16

FOR THE NEGATIVE.

Babcock	Conger	Cornell	Jones
---------	--------	---------	-------

4

Mr. McElwain moved that the vote just taken be reconsidered, and that such motion do lay upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled "An act to amend the act to incorporate the New-York Juvenile Asylum, passed June 30, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cornell	McElwain	Newcomb	Smith
Beekman	Davenport	Morgan	Otis	Upham
Bristol	Jones	Munroe	Platt	Williams
Conger	Kirby			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relative to the fire department of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Munroe	Smith
Beckman	Cornell	McElwain	Newcomb	Upham
Bristol	Davenport	Morgan	Otis	Williams
Clark				

16

FOR THE NEGATIVE.

Jones

1

Mr. Otis moved that the vote just taken on said bill be reconsidered, and that such motion do lay upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bill:

"An act to provide for the erection of a county poor house in the county of Ulster."

Ordered, That the Clerk transmit said bill to the Governor.

By unanimous consent,

The Senate then resolved itself into a committee of the whole, on the following entitled bills:

The Assembly bill "An act to repeal sections 9, 11, 13, 14, and part of section 10, and section 15, of title 4, part 1, chapter 13, of the Revised Statutes, entitled 'regulations concerning the assessment of taxes on incorporated companies, and the commutation or collection thereof.'"

The bill entitled "An act in relation to the taxation of real estate, and of mortgages thereon."

The Assembly bill entitled "An act to secure a more just valuation of property for taxation."

And after some time spent thereon, Mr. Kirby, from said committee, reported progress on the first and second bills, and asked leave to sit again on the first, second and third mentioned bills.

The President announced the question to be on granting leave to sit again on the first mentioned bill, when Mr. Babcock offered the following,

Resolved, That said bill be committed to the committee on finance, with instructions to amend the same, so as to allow corporations to commute taxes upon personal property, at five per cent. of their clear net annual income, when such income shall not exceed five per cent of their capital, after deducting the assessed value of their real estate, and to assess all corporations for real estate held by them, and all surplus profits on reserved

funds exceeding five per cent of their capital, after deducting the assessed value of real estate held by them.

Mr. Cornell moved to lay said resolution upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President put the question on granting leave to sit again upon said second and third mentioned bills, and it was decided in the affirmative.

By unanimous consent,

Mr. Beekman, asked for and obtained leave to introduce a bill entitled "An act to release the interest of the people of the State of New-York, in certain lands to the heirs of Bridget Shaw, an alien," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, to report complete.

By unanimous consent,

Mr. Morgan asked for and obtained leave to introduce a bill entitled "An act to authorise the Pennsylvania coal company, to construct a portion of their road in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent,

Mr. Conger, from the committee on finance, to which was referred the bill entitled "An act in relation to the compensation of persons in the employ of the State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Babcock, the Senate adjourned until 10 o'clock a.m., tomorrow.

THURSDAY, JUNE 9, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The journal of yesterday was read and approved.

Mr. Bennett, presented a petition from the citizens of the town of Hinsdale, for a law authorising said town to lay out a road less than three rods wide, which was referred to the committee on roads and bridges.

Mr. Bristol presented a remonstrance from the citizens of New-York city, against establishing Jones Wood Park, which was referred to the select committee.

Mr. Newcomb presented a second remonstrance of the citizens of New-York city, against establishing Jones Wood Park, which was referred to the select committee.

Mr. Morgan presented two remonstrances from the citizens of New-York city, against establishing Jones Wood Park, which were referred to the select committee.

Mr. Beekman presented a remonstrance from the citizens of New-York city, against establishing Jones Wood Park, which was referred to the select committee.

Mr. Cooley presented a remonstrance from the citizens of New-York city, against establishing Jones Wood Park, which was referred to the select committee.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills:

"An act for the appraisement of canal damages of Constant Brown."

"An act for the appraisement of canal damages to Marius Goodrich."

"An act for the appraisement of canal damages to Delavan Corey."

"An act for the appraisement of canal damages of Abraham N. Van Alstine."

"An act for the appraisement of canal damages of Charles G. Barnes."

"An act for the appraisement of canal damages of Marcus L. Hoag."

"An act for the appraisement of canal damages of Alice O. Wilkin."

"An act for the appraisement of canal damages of Lewis Fro-tier."

"An act for the appraisement of canal damages of Abraham Wetmore."

"An act for the appraisement of canal damages of William Adams."

"An act for the appraisement of canal damages of Charles Sacia."

"An act for the appraisement of canal damages of Silas V. Wemple."

"An act for the appraisement of canal damages of James E. Shader."

An act for the appraisement of canal damages of A. P. Settle."

"An act for the appraisement of canal damages of Elias Stilwell and Benjamin Smith."

"An act to authorise the clerk of Kings county, to record the assignments of a certain mortgage."

"An act to apply the provisions of an act entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference, passed April 16, 1852,' to the Ithaca Mills Cotton Company at Ithaca, Tompkins county."

"An act in relation to the Peoples' bathing and washing association, incorporated April 11, 1849."

"An act to make the village of Ellicottsville, a separate road district."

"An act to amend the act entitled 'An act to amend the charter of the village of Dundee,' passed March 17, 1851."

"An act for the appraisement of canal damages of Charles J. Hawley."

"An act for the appraisement of canal damages of Joshua S. Williams."

"An act for the appraisement of canal damages of Henry S. Bragdon."

"An act for the appraisement of canal damages of Goshen P. Van Alstyne."

"An act for the appraisement of canal damages of William D. Clark."

"An act for the appraisement of canal damages of Frederick Burton and Sophrona Burton."

"An act for the appraisement of canal damages of John J. Culver."

"An act for the appraisement of canal damages of Aaron Cramer."

"An act to enable Julio Arboleda to acquire, hold, convey and devise real estate."

Ordered, That the Clerk deliver said bills to the Governor.

By unanimous consent,

Mr. Bennett, from the committee on roads and bridges, to which was referred the petition of citizens of the town of Barre, Orleans co., for additional highway money, reported, and asked and obtained leave to introduce a bill entitled "An act relating to highways in the town of Barre, Orleans county," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorise the Delaware and Susquehanna plank road company to borrow money," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to provide for the construction of a bridge across the Oneida river, at Caughdenoy," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Cornell moved that the special order, the consideration of general orders, be postponed until after reports of committees.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Bristol, from the committee on Indian affairs, to which was referred the memorial of Peter Wilson, chief of the Cayugas, reported for the consideration of the Senate, the following entitled bill, "An act to establish a fund for the benefit of the Cayuga nation of Indians," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Davenport, from the committee on public expenditures, to which was referred the bill entitled "An act to amend title six, of chapter seven, of part one of the Revised Statutes," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act in relation to violations of ordinances made by the mayor, aldermen, and commonalty of the city of Albany," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to authorize the Buffalo and Pittsburgh railroad company to terminate its road on the northerly line of the State of Pennsylvania," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Conger offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That one thousand copies of the documents accompanying the annual report of the State Prison inspectors, (with the exception of the accounts,) be printed for the use of the inspectors, and bound up with the copies of their report already printed for their use.

By unanimous consent,

The President put the question on the adoption of said resolution, without its being referred to the committee on public printing, as required under the rules, and the same was agreed to by a majority of the Senate.

By unanimous consent,

Mr. Cornell moved to take from the table the resolution offered by Mr. Babcock, yesterday, in relation to the report of the committee of the whole on the bill entitled "An act to repeal sections 9, 11, 13, 14, and part of section 10, and section 15, of title 4; part one, chapter thirteen of the Revised Statutes, entitled 'regulations concerning the assessments of taxes on incorporated companies, and the commutation or collection thereof.'"

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution of Mr. Babcock, and it was decided in the affirmative.

Mr. Bennett called for the consideration of the report of the committee on railroads, on the bill entitled "An act to incorporate the Atlantic and Pacific railroad company."

Debate was had thereon, when

Mr. Van Schoonhoven offered the following amendment to said report, as an additional section: "The powers and privileges granted by this act, shall not be exercised or enjoyed by the corporation therein named, or by their successors, unless said corporation shall, within the period of five years after the passage of this act, in good faith, commence and carry forward, with all reasonable dispatch, active operations to accomplish and permanently secure the objects proposed by the terms specified therein."

The President put the question whether the Senate would agree to the amendment offered by Mr. Van Schoonhoven, and it was decided in the affirmative.

Mr. Conger offered the following amendment to said report, as a substitute for the bill reported by the committee.

AN ACT

To authorise the formation of corporations for the purpose of constructing and operating railroads between the Atlantic and Pacific oceans, and elsewhere, without the limits of the State of New-York.

The People of the State of New-York, ropresented in Senate and Assembly, do enact as follows:

SECTION 1. Any number of persons, not less than twenty-five, may form a company for the pnrpose of constructing, maintaining and operating a railroad or railroads for public use, in the conveyance of persons and property between the Atlantic and Pacific oceans, on any part of the route between the same, within the limits of the United States, or within the limits of any State or territory of the United States, or partly within the limits of any such states or territory, or wholly within the limits of any foreign State or territory, and without the limits of the State of New-York; and for that purpose may make and sign articles of association, in which shall be stated the name of the company, the number of years the same is to be continued, the places from, and to which the road is to be constructed and maintained and operated; the length of such road, as near as may be, not exceeding, however, one half of any route for any such road, approved, on a survey, by the Congress of the United States, and the name of each State or territory, through or into which it is intended to be made; the amount of the capital stock of the company, which shall not be less than \$10,000 for every

mile of road proposed to be constructed; the number of shares of which said capital stock shall consist, and the names and places of residence, of not less than thirteen, nor more than twenty-five directors of the company, who shall manage its affairs for the first year, and until others are chosen in their places. Each subscriber to such articles of association shall subscribe thereto his name, place of residence, and number of shares of stock he agrees to take in said company. On compliance with the provisions of the next section, such articles of association may be filed in the office of the Secretary of State, who shall endorse thereon the day they are filed, and record the same in a book to be provided by him for that purpose; and thereupon the persons who have so subscribed such articles of association, and all persons who shall become stockholders in such company, shall be a corporation by the name specified in such articles of association, and shall possess the powers and privileges granted to corporations, and be subject to the provisions contained in title three of chapter eighteen, of the first part of the Revised Statutes, except the provisions contained in the seventh section of said title.

§ 2. Such articles of association shall not be filed and recorded in the office of the Secretary of State, until at least one thousand dollars of stock for every mile of said railroad proposed to be made is subscribed thereto, and ten per cent paid thereon in good faith, and in cash, to the directors named in said articles of association; nor until there is endorsed thereon or annexed thereto, an affidavit made by at least five of the directors named in said articles of association, that the amount of stock required by this section has been in good faith subscribed, and ten per cent paid in cash thereon as aforesaid, and that it is intended in good faith to construct or to maintain and operate the road mentioned in such articles of association; which affidavit shall be recorded with the articles of association as aforesaid.

§ 3. A copy of any articles of association, filed and recorded in pursuance with this act, or of the record thereof, with a copy of the affidavit aforesaid endorsed thereon or annexed thereto, and certified to be a copy by the Secretary of State or his deputy, shall be presumptive evidence of the incorporation of such company and of the facts therein stated.

§ 4. When such articles of association and affidavit are filed and recorded in the office of the Secretary of State, the directors named in said articles of association may, in case the whole capital stock is not before subscribed, open books of subscription to fill up the capital stock of the company, in such places, and after giving such notice as they may deem expedient, and may continue to receive subscriptions until the whole capital stock is subscribed. At the time of subscribing, every subscriber shall pay to the directors ten per cent on the amount subscribed by him, in money; and no subscription shall be received or taken without such payment.

§ 5. There shall be a board of not less than thirteen nor more than twenty-five directors, of every corporation formed under this act, to manage its affairs. Said directors shall be chosen annually, by a majority of the votes of the stockholders voting at such election, in such manner as may be prescribed in the by-laws of the corporation, and they may and shall continue to be directors until others are elected in their places. In the election of directors such stockholders shall be entitled to one vote for each share of stock held by him. Vacancies in the board of directors shall be filled in such manner as shall be prescribed by the by-laws of the corporation. Every corporation formed under this act shall be subject to the regulations concerning the election of directors of moneyed corporations contained in article two of the second title of chapter eighteen of the first part of the Revised Statutes. The inspectors of the first election of directors shall be appointed by the board of directors named in the articles of association. No person shall be a director, unless he shall be a stockholder, owning stock absolutely in his own right and qualified to vote for directors at the election at which he shall be chosen. At every election of directors the books and papers of such company shall be exhibited to the meeting, provided a majority of the stockholders present shall require it.

§ 6. The directors shall appoint one of their number president; they may also appoint a treasurer and secretary; and such other officers, agents and subordinates as shall be prescribed by the by-laws.

§ 7. The directors may require the subscribers to the capital stock of the company to pay the amount by them respectively subscribed, in such manner and in such instalments as they may deem proper under such penalties of forfeiture of said stock, and all previous payments thereon as may be prescribed in the by-laws of said corporation.

§ 8. The stock of every company formed under this act shall be deemed personal estate, and shall be transferable in the manner prescribed by the by-laws of the company, but no shares shall be transferable until all previous calls thereon shall have been fully paid in; and it shall not be lawful for such company to use any of its funds in the purchase of any stock of its own, or in any other corporation.

§ 9. In case the capital stock of any company formed under this act is found insufficient for constructing and operating its road, such company may, with the concurrence of a majority in amount of all its stockholders, increase its capital stock from time to time, to any amount required for the purposes aforesaid. The by-laws of such company shall regulate the mode in which such concurrence shall be ascertained, and the manner in which such increase of capital shall be made.

§ 10. Each stockholder of any company formed under this act shall be individually liable to the creditors of such company to

an amount equal to the amount unpaid on the stock held by him, for all the debts and liabilities of such company, until the whole amount of the capital stock so held by him shall have been paid to the company; and all the stockholders of every such company shall be jointly and severally liable for all the debts due or owing to any of its laborers and servants for services performed for such corporation, but shall not be liable to an action therefor before an execution shall be returned unsatisfied in whole or in part against the corporation; and then the amount due on such execution shall be the amount recoverable with costs, against such stockholders.

§ 11. Any corporation formed under this act is authorised to accept and use any grant, gift, donation, loan, power, franchise, aid or assistance, which shall not be inconsistent with or contrary to the constitution and laws of this State that may be granted to or conferred upon any such company by the Congress or laws of the United States, by and with the assent and approbation of three-fourths of the legislatures of the several states thereof, or by the legislature or laws of any State or territory of the United States, or of any foreign state or territory through or into which the road or any part thereof of such company, is made or proposed to be made, on such terms and conditions as may be annexed to or imposed upon the grant thereof; and may make, construct, operate and enjoy any part or portion of said road, which may or shall be constructed through any State or territory of the United States, or through the territory of any foreign state or government, on such terms, conditions, limitations and restrictions as may be prescribed by the laws of the United States, or any State or territory of the United States, or any foreign state or government conferring the right and power on such company to construct, operate and maintain such road or any part thereof.

§ 12. Any corporation formed under this act is authorised and empowered to purchase, receive, enter upon and hold such lands, streams of water and real estate as may be necessary and convenient for constructing, operating and maintaining its road, subject to such restrictions and limitations as may be imposed by the laws the State or territory in which said lands may lie; but the title of all lands, streams of water and real estate, which are not acquired by gift or purchase, shall be acquired in the manner designated or to be designated and required by the laws of the State or territory within which such lands, streams of water or real estate may lie.

§ 13. No corporation formed under this act shall, at any time, borrow money or incur any indebtedness any amount exceeding one-half of the capital stock of such company actually paid in at the time of such loan or indebtedness; and the directors of any such corporation offending against the provisions of this section shall be personally liable to the creditors of such corporation for such excess of loan or indebtedness, and shall, upon

conviction, in any court of this State, be adjudged guilty of a misdemeanor.

§ 14. Every corporation formed under this act shall make an annual report to the State Engineer and Surveyor for the year ending on the 31st day of December; which report shall be verified by the oaths of the president or superintendent and treasurer, and be filed in the office of the State Engineer and Surveyor by the first day of July in each year; which report shall contain the particulars required by the 31st section of the act entitled "An act to authorize the formation of railroad corporations, and to regulate the same," passed April 2, 1850, except such as the State Engineer and Surveyor from time to time shall in writing direct to be omitted, and any corporation neglecting or refusing to make such report shall be liable to a penalty of one thousand dollars, to be sued for and recovered in the name of the people of this State, for their use, in any court having cognizance of the same.

§ 15. If any corporation formed under this act shall not, within three years after its articles of association are filed and recorded in the office of the Secretary of State, begin the construction of its road and expend thereon ten per cent on the amount of its capital, or shall not finish the road and put it in operation in twenty-five years from the time of filing its articles of association as aforesaid, its corporate existence and powers shall cease.

§ 17. This act shall take effect immediately.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative.

Mr. Babcock then moved the following amendment as a substitute for the bill reported by the committee on railroads, as in the foregoing amendment offered by Mr. Conger, by striking out the words in the fourteenth line of the first section "not exceeding, however, one-half of any route for any such road approved on a survey by the Congress of the United States;" and also in the sixth line of the eleventh section, the words "by and with the assent and approbation of three-fourths of the Legislatures of the several States thereof."

Mr. Van Schoonhoven moved to lay the whole subject on the table until twelve o'clock, m. to-morrow, and that it be made a special order at that time, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock
Conger

Cooley

Jones

Platt

VanSchoonhoven
6

FOR THE NEGATIVE.

Bartlett	Clark	McElwain	Pierce	Snow
Beekman	Cornell	Munroe	Rogers	Upham
Bennett	Davenport	Newcomb	Smith	Ward
Bristol	Kirby	Otis		

18

The President announced the question to be on Mr. Babcock's amendment or substitute.

Debate was had thereon, when

Mr. Van Schoonhoven moved to refer the bill reported, and the substitute offered by Mr. Babcock, to the committee on the judiciary, with instructions to enquire and report as to the constitutional power of the Legislature, to pass the said bill as a special act; also to inquire if the objects of said bill cannot be obtained by a general law.

Mr. Bennett called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Conger	Cooley	VanSchoonhoven	
--------	--------	----------------	--

3

FOR THE NEGATIVE.

Babcock	Bristol	Jones	Rogers	Upham
Bartlett	Clark	McElwain	Smith	Ward
Beekman	Cornell	Munroe	Snow	Vanderbilt
Bennett	Davenport	Newcomb		

18

At a quarter to two o'clock, p. m. the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

A message from the Assembly was received and read, informing that they had non-concurred in the passage of the following entitled bill, to wit:

"An act to amend an act to provide for the incorporation of companies to construct plank roads and of companies to construct turnpike roads, passed May 7, 1847, and the acts amendatory thereof."

A bill was received from the Assembly for concurrence, entitled "An act to authorise a temporary loan by the Comptroller, to the Superintendent of Common Schools, to supply a deficiency occasioned by the non-payment of the share of tax of the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Otis	Snow
Bartlett	Davenport	Morgan	Pierce	Upham
Beckman	Jones	Munroe	Platt	Vanderbilt
Bennett	Kirby	Newcomb	Smith	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The President announced the question to be on the amendment or substitute of Mr. Babcock, to the report of the committee on railroads, on the bill entitled "An act to incorporate the Atlantic and Pacific railroad company."

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Kirby	Otis	Platt	VanSchoonhoven
Jones				6

FOR THE NEGATIVE.

Bartlett	Bristol	McElwain	Newcomb	Snow
Beckman	Davenport	Munroe	Smith	Upham
Bennett				11

The President then announced the question to be on the report of the committee on said bill, as heretofore amended.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Bristol	McElwain	Otis	Snow
Beckman	Davenport	Munroe	Smith	Upham
Bennett	Kirby	Newcomb		13

FOR THE NEGATIVE.

Babcock	Jones	Pierce	Platt	VanSchoonhoven
				5

Ordered, That said bill be engrossed for a third reading.

The President announced the special order, it being the consideration of general orders.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

Assembly bill, "An act authorising the Canal Appraisers to examine the claim of Lawrence Seymour and others, for damages

sustained in consequence of the destruction of a dam on the Oneida river."

Assembly bill, "An act for the payment of William George Barnhart, Jacob Barnhart and others, the amount to which they are entitled, &c."

Assembly bill, "An act authorising the appraisal of damages sustained by Thomas Burns, by the destruction of a spring of water by the Erie canal enlargement."

And after some time spent thereon, Mr. Platt, from said committee, reported in favor of the passage of said first mentioned bill with amendments, which report was agreed to.

Mr. Platt, from said committee, reported progress on said second and third mentioned bills, and asked and obtained leave to sit again.

Mr. Cornell, from the committee on engrossed bills, reported as correctly engrossed the following entitled bill:

"An act to authorize the Delaware and Susquehanna plank road company to borrow money."

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Conger, from the committee on finance, to which was referred the Assembly bill entitled "An act to repeal sections 9, 11, 13, 14, and part of section ten, and section 15, of title four, part one, chapter 13, of the Revised Statutes, entitled 'regulations concerning the assessments of taxes on incorporated companies and the commutation thereof,'" with instructions to report the same complete, so reported, and said bill was ordered to a third reading.

On motion of Mr. Van Schoonhoven,

The Senate adjourned to ten o'clock, a. m., to-morrow.

FRIDAY, JUNE 10, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

The journal of yesterday was read and approved.

Mr. Morgan presented the remonstrance of H. M. Blatchford and other citizens of New-York city, against establishing Jones Woods park, which was referred to the select committee.

Mr. Williams presented the petition of citizens of the village of Ovid, Seneca co., for a law authorising the trustees of said village to grant licenses, which was laid upon the table.

Mr. Williams presented the remonstrance of citizens of said village, against such law, which was laid upon the table.

A message from the Assembly was received and read, informing

that they had concurred in the amendments of the Senate, to the following entitled bills :

"An act to exempt the Assay office of the United States, in the city of New-York, from assessment or tax."

"An act to establish free schools in school district number one, of the town of West Farms, Westchester county."

"An act to amend an act entitled 'An act to revise and amend the several acts relating to the city of Brooklyn, passed April 4, 1850, and the act amending the same,' passed June 19, 1851."

"An act to authorise the Angelica and Belvidere plank road company to erect gates two miles apart on their road."

Ordered, That the Clerk return said bills to the Assembly.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bills:

"An act to confirm the title of Dennis Ford, to real estate conveyed to him by John Hart."

"An act to enable the children of Cecelia De Nottbeck to take and hold real estate."

"An act authorising any railroad company in this State, to subscribe to the capital stock of the Sodus Point and Southern railroad company."

"An act in relation to the cemetery grounds of the congregation of Shearith Israel."

"An act for the relief of the parties interested in certain lands devised by Smith Thompson, deceased."

"An act for the appraisement of canal damages of the commissioners of highways of the town of Canajohare."

"An act to enable Bernardo Escorihuela, an alien, to take, hold and convey real estate."

"An act in relation to the powers and duties of the trustees of the village of Walton."

"An act to enable Maria Vincenta-Rodriguez, an alien, to hold, grant and convey certain real estate or interest therein, and to appoint her trustee under the will of Vincenta Rodriguez."

Ordered, That the Clerk transmit said bills to the Governor.

By unanimous consent,

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the act to regulate the compensation of the assessors of the street department of the city of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed, the following entitled bills :

"An act relating to the highways in the town of Barre, Orleans county."

"An act relating to the fencing of railroads to prevent persons permitting cattle or other animals to run at large thereon."

Ordered, That said bills do have their third reading.

The bill entitled "An act to facilitate the acquisition of lands for a new reservoir in the city of New-York," having been read a third time,

On motion of Mr. Morgan, and by unanimous consent,

Said bill was amended, by striking out the 7th and eleventh sections thereof."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Otis	Snow
Bartlett	Davenport	Morgan	Platt	Upham
Bristol	Jones	Munroe	Rogers	Vanderbilt
Clark	Kirby	Newcomb	Smith	Williams
Cooley				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relating to highways in the town of Barre, Orleans co.," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Platt	Upham
Bartlett	Cornell	Morgan	Rogers	Vanderbilt
Bennett	Davenport	Munroe	Smith	Ward
Bristol	Jones	Newcomb	Snow	Williams
Clark	Kirby	Otis		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the Buffalo and Pittsburgh railroad company to terminate its road on the northerly line of the State of Pennsylvania," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	Morgan	Pierce	Upham
Bartlett	Davenport	Munroe	Platt	Vanderbilt
Bennett	Jones	Newcomb	Smith	Ward
Clark	Kirby	Otis	Snow	Williams
Cooley				

21

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the Delaware and Susquehanna plank road company to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Platt	Vanderbilt	
Bartlett	Cornell	McElwain	Smith	Ward	
Bennett	Davenport	Munroe	Snow	Williams	
Bristol	Jones	Newcomb	Upham		19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Marine society of the city of New-York, in the State of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Otis	Upham	
Bartlett	Cooley	Morgan	Platt	Ward	
Bennett	Cornell	Munroe	Smith	Williams	
Bristol	Jones	Newcomb	Snow		19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to confirm the election of Lester K. Hill and Horace Bartlett, as commissioners of highways of the town of Russell," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Kirby	Newcomb	Smith	Vanderbilt	
Bennett	McElwain	Otis	Snow	Ward	
Bristol	Morgan	Platt	Upham	Williams	
Clark	Munroe	Rogers			18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to amend an act to incorporate the Missionary society of the Methodist Episcopal church was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Morgan	Platt	Upham
Bennett	Jones	Munroe	Rogers	Ward
Bristol	Kirby	Newcomb	Smith	Williams
Clark	McElwain	Otis	Snow	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act to authorise the laying out and opening of a public highway in the village of Canandaigua,' passed March 29, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Rogers	Vanderbilt
Bennett	Cooley	Munroe	Smith	Williams
Bristol	Davenport	Otis	Snow	Wright
Clark	Kirby	Platt		18

FOR THE NEGATIVE.

Jones	1
-------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for rebuilding a bridge across the Canandaigua outlet at the village of Alloway, in the town of Lyons, Wayne co., and for raising money for that purpose by tax upon said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Snow
Bartlett	Cooley	McElwain	Platt	Upham
Bennett	Cornell	Munroe	Rogers	Vanderbilt
Bristol	Davenport	Newcomb	Smith	Ward
Clark	Jones			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Upham, and by unanimous consent,
Resolved, That the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act authorising the Canal Commissioners to build a bridge across the Erie canal in the village of Tonawanda," and that the same be ordered to a third reading.

The Assembly bill entitled "An act to provide for the establishment of schools upon the Tonawanda reservation in this State, for the instruction of Indian children," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	McElwain	Platt	Upham
Bennett	Davenport	Munroe	Rogers	Vanderbilt
Bristol	Jones	Newcomb	Smith	Ward
Conger	Kirby	Otis	Snow	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered, the following entitled bill :

"An act to confirm the title of Sarah Machlin, to certain lands in Brooklyn, and to release the right, title and interest of the people of the State of New-York thereto."

The said amendments having been read,

The President put the question whether the Senate would agree to the amendments to said bill and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Newcomb	Rogers	Vanderbilt
Bartlett	Jones	Otis	Smith	VanSchoonhoven
Bennett	Kirby	Pierce	Snow	Ward
Bristol	McElwain	Platt	Upham	Williams
Conger	Munroe			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in said amendments.

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered, the following entitled bill :

"An act for the improvement of the Ausable river, Essex co."

The said amendments having been read,

The President put the question whether the Senate would agree to the amendments to said bill, and it was decided in the affirma-

tive, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Munroe	Rogers	Vanderbilt
Bennett	Davenport	Newcomb	Smith	VanSchoonhoven
Bristol	Jones	Otis	Snow	Ward
Conger	Kirby	Platt	Upham	Williams
Cooley	McElwain			22

FOR THE NEGATIVE.

Babcock

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the said amendments.

The Assembly bill entitled "An act to amend the charter of the town of Ovid, Seneca county," was read a third time, when

By unanimous consent,

Said bill was amended by striking out the word "May" in the fourth section, and inserting the word "July."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Kirby	Smith	Upham	Ward
Bennett	Newcomb	Snow	VanSchoonhoven	Williams
Bristol	Rogers			12

FOR THE NEGATIVE.

Babcock	Conger	Cornell	McElwain	Otis
Clark	Cooley	Jones	Munroe	Platt
				10

Mr. Williams moved that the vote just taken be reconsidered, and that said motion do lay on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

Mr. Cooley gave notice that he would, at an early day, ask leave to bring in a bill recommending a convention of the people of this State, for the purpose of amending the Constitution in such manner as to ensure the speedy completion of the Erie canal enlargement and the lateral canals, out of the nett revenues of the canals, and without imposing onerous taxes on the people.

By unanimous consent,

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the petition of the National Mining Company for an act of incorporation, moved to be discharged from

the further consideration thereof, and that the same be referred to the committee on agriculture.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to the public highway through the Chemung narrows in the town and county of Chemung," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorise the Monterey, Cooper's Plains, Painted Post and Corning Plank Road Company to borrow money," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

The Assembly bill entitled "An act to provide for the construction of a bridge across the Oneida river at Caughdenoy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Pierce	Upham
Bartlett	Cornell	Morgan	Platt	Van Schoonhoven
Bennett	Davenport	Munroe	Smith	Ward
Bristol	Jones	Newcomb	Snow	Williams
Clark	Kirby			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act authorising the Canal Commissioners to build a bridge across the Erie canal, in the village of Tonawanda," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Otis	Smith
Bartlett	Cooley	Morgan	Pierce	Snow
Beekman	Davenport	Munroe	Platt	Upham
Bristol	Kirby	Newcomb	Rogers	Ward
Clark				

21

FOR THE NEGATIVE.

Jones

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Platt, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to authorise the Canal Commissioners to construct a road bridge over the Oswego canal in the village of Phoenix," and that the same be ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	Newcomb	Rogers	Vanderbilt
Bartlett	Kirby	Otis	Smith	VanSchoonhoven
Bristol	McElwain	Pierce	Snow	Ward
Clark	Morgan	Platt	Upham	Williams
Cooley	Munroe			

22

FOR THE NEGATIVE.

Jones

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered, the following entitled bill :

"An act to vest in the United States of America jurisdiction over certain lands in the city of Brooklyn, and adjacent thereto."

On motion, said bill with amendments, was referred to a select committee.

The President appointed as such committee, Messrs. Vanderbilt, Babcock and Cornell.

The bill entitled "An act to amend the act incorporating the village of Attica, passed May 2, 1837, to alter the bounds and to enlarge the powers of the corporation of said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Newcomb	Snow
Bartlett	Cornell	McElwain	Otis	Upham
Bennett	Davenport	Morgan	Platt	Vanderbilt
Bristol	Jones	Munroe	Rogers	Williams
Clark				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for the incorporation of Fire and Inland navigation Insurance companies," having been read a third time,

Mr. Cornell moved that the same be laid upon the table.

Mr. Cooley moved to recommit to the committee on banks and insurance companies.

The President announced the question to be on Mr. Cornell's motion to lay upon the table.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Pierce	Platt	
Rartlett	Cornell	McElwain			8

FOR THE NEGATIVE.

Bennett	Cooley	Munroe	Snow	VanSchoonhoven	
Bristol	Morgan	Newcomb	Vanderbilt	Williams	
Clark					11

The President announced the question to be on Mr. Cooley's motion to recommit to the committee on banks and insurance companies.

Mr. Cornell moved to refer said bill to the committee of the whole.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. McElwain moved to take from the table the motion for the reconsideration of the vote on the passage of the bill entitled "An act to authorise any railroad company in this State, to subscribe to the stock of the Attica and Allegany Valley railroad company."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to reconsider said vote, and it was decided in the affirmative.

On motion of Mr. Van Schoonhoven, and by unanimous consent,

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act declaring Black river a public highway, and regulating the passage of logs and lumber down the same, from the Moose river tract to the junction with Moose river, and for the improvement of the said river."

And after some time spent thereon, Mr. Otis, from said committee, reported in favor of the passage of said bill, which report was agreed to.

The Assembly bill entitled "An act to aid in the erection of a monument commemorative of the Declaration of American Independence," was read a third time, when

By unanimous consent,

Said bill was amended, by adding at the end of the third section, as follows: "provided such whole expense shall not exceed one hundred and fifty thousand dollars."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Upham
Beekman	Cooley	Munroe	Rogers	Vanderbilt
Bennett	Jones	Newcomb	Smith	Williams
Bristol	Kirby	Otis	Snow	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

By unanimous consent,

Mr. Upham asked for and obtained leave to introduce a bill entitled "An act to authorise a part of the records of the county of Genesee, to be transcribed and deposited in the clerk's office of the county of Orleans," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Upham
Beekman	Cooley	McElwain	Platt	Vanderbilt
Bennett	Davenport	Munroe	Rogers	Ward
Bristol	Jones	Newcomb	Smith	Williams
				20

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act relative to lands held in trust by William H. Leggett, for the benefit of Mary Jagger Barber, wife of William T. Barber, and her descendants," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Newcomb	Smith
Bartlett	Conger	Kirby	Otis	Vanderbilt
Beekman	Cooley	McElwain	Platt	Ward
Bennett	Davenport	Munroe		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act relative to lands held in trust by William H. Leggett, for the benefit of Susan Post Leggett, wife of Edward W. Leggett, and her descendants," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Newcomb	Upham
Bartlett	Conger	Kirby	Otis	Vanderbilt
Beekman	Cooley	McElwain	Platt	Ward
Bennett	Davenport	Munroe	Smith	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

No quorum being present, on motion of Mr. Otis,

The Senate adjourned to ten o'clock, a. m., to-morrow.

SATURDAY, JUNE 11, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wadhams.

The journal of yesterday was read and approved.

Mr. Beekman presented a petition from the merchants and clerks of New-York city, for the incorporation of a library in the lower part of the city, which was referred to the committee on literature.

By unanimous consent,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act for the incorporation of a library for merchants and clerks in the lower part of the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on literature, with power to report complete.

By unanimous consent,

Mr. Rogers asked for and obtained leave to introduce a bill entitled "An act to authorise the sale or abandonment of any plank roads in the counties of Essex and Clinton," which was read the first time, and by unanimous consent was also read the second time.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Clark asked for and obtained leave to introduce a bill entitled "An act to amend an act to provide for the incorporation of companies to construct plank roads, &c., passed May 7, 1847, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, with power to report complete.

Mr. Morgan presented resolutions from the common council of the city of New-York, in favor of dividing the nineteenth ward into two wards, which was referred to the committee on the incorporation of cities and villages.

On motion of Mr. Upham, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act relating to debts contracted by women before marriage," and that the same be ordered to a third reading.

By unanimous consent,

Mr. Davenport asked for and obtained leave to introduce a bill entitled "An act to legalise certain highways in the town of Greig, in the county of Lewis," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Conger, from the committee on finance, to which was referred the Assembly bill entitled "An act to provide for certain expenses of government," reported in favor of the passage of the same with amendments, which was committed to the committee of the whole.

Mr. Cornell moved to lay the present order of business on the table, for the purpose of reaching the order of motions and resolutions, so as to fix a time for the consideration of the above entitled bill, States prison appropriation, and tax and toll bill.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Jones	Pierce	Platt	
Conger	Davenport	Otis			8

FOR THE NEGATIVE.

Babcock	Cooley	Newcomb	Upham	Williams	
Beekman	McElwain	Smith	Vanderbilt	Wright	
Clark	Morgan				12

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to authorize any railroad company in this State, to subscribe to the capital stock of the Clyde and Sodus Bay railroad," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Beekman from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to remove the burial ground in the village of Stamford, in the county of Delaware," with power to report complete, so reported, and said bill was ordered to a third reading.

A message from the Assembly was received and read, informing that they had non-concurred in the passage of the following entitled bill, to wit:

"An act authorising the formation of county teachers' associations."

A bill was received from the Assembly for concurrence, entitled "An act supplementary to an act entitled 'An act further to amend the charter of the city of New-York,' passed April 12, 1853" which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Newcomb	Smith	VanSchoonhoven	
Beekman	Kirby	Otis	Snow	Williams	
Bristol	McElwain	Pierce	Upham	Wright	
Clark	Morgan	Platt	Vanderbilt		19

FOR THE NEGATIVE.

Cooley		1
--------	--	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of the Commercial Insurance Company in the city of New-York, to that of the Commercial Mutual Insurance Company, and to further amend the act to incorporate the Commercial Insurance Company in the city of New-York, passed April 12, 1842," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on banks and insurance companies, to report complete.

A message from the Assembly was received and read, informing that they had non-concurred in the passage of the following entitled bill, to wit:

"An act to authorise the board of supervisors of the counties of this State, to fix the salaries of county clerks."

The President announced the order of third reading of bills.

Mr. Pierce moved to lay said order on the table for the purpose of introducing a resolution, setting a time for the consideration of the supply bill and bills making appropriations for State prisons and other expenses of government.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Cornell	Pierce	Wright	
Bartlett	Conger	Davenport	VanSchoonhoven		9

FOR THE NEGATIVE.

Beekman	Cooley	Morgan	Platt	Vanderbilt	
Clark	McElwain	Newcomb	Upham	Williams	10

The bill entitled "An act to incorporate the Sing Sing water-works company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Pierce	Upham	
Bartlett	Conger	McElwain	Platt	Vanderbilt	
Beekman	Cornell	Morgan	Smith	Williams	
Bristol	Davenport	Newcomb	Snow	Wright	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relating to the fencing of railroads, and to prevent persons from permitting cattle or other animals to run at large thereon," having been read a third time,

Mr. Bartlett moved to recommit the same to the committee on

railroads, with instructions to report the following additional section forthwith:

§ 8. "It shall be the duty of the commissioners of highways of any town through which any railroad is constructed, upon receiving a written statement from three citizens residing along the line of such railroad, that any portion of the fence of such railroad is out of repair, or is not in a condition to prevent cattle or other domestic animals from entering upon such railroad, to examine into the facts, and if deemed necessary, to direct any director or superintendent of such road, to put such portion of fence in a good and safe condition; and if within such time as to the said commissioners may seem sufficient for such purpose, after receiving such direction, the corporation owning such railroad shall neglect or refuse to put such fence in a good and safe condition, within the time acquired, said corporation shall fulfil and pay to the town where such portion of road is located, the sum of five dollars, for each day during which said corporation shall neglect or refuse to do the same."

Mr. Conger moved to recommit said bill to the committee of the whole.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	Morgan	Smith	VanSchoonhoven
Bristol	Davenport	Newcomb	Snow	Williams
Clark	Kirby	Pierce	Upham	Wright
Conger	McElwain	Platt	Vanderbilt	19

FOR THE NEGATIVE.

Bartlett	Cooley	2
----------	--------	---

Mr. Babcock moved to lay the present order of business, the third reading of bills, on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act relating to the fencing of railroads, and to prevent persons from permitting cattle or other animals to run at large thereon."

* And after some time spent thereon, Mr. Williams, from said committee, reported progress on said bill, and asked for and obtained leave to sit again.

Mr. Pierce offered for the consideration of the Senate, a resolution, in the words following, to wit:

Resolved, That the bills making appropriations for the State prisons, and the annual supply bill, also Senate bill No. 201, being engrossed bill from the Assembly, with the substitute offered

by the Senator from the 2d, be made a special order for Tuesday next, at half-past eleven o'clock, a. m.

Debate was had thereon, when

Mr. Wright moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Morgan	Platt	Snow	
Beckman	Cooley	Newcomb	Rogers	Wright	
Bristol	McElwain				12

FOR THE NEGATIVE.

Bartlett	Conger	Cornell	Smith	Williams	5
----------	--------	---------	-------	----------	---

The Senate adjourned to ten o'clock, a. m., Monday.

MONDAY, JUNE 13, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. M. White.

The journal of Saturday was read and approved.

The roll was called, when the following Senators answered to their names, to wit:

Bennett	Davenport	McElwain	Platt	Upham	
Bristol	Huntington	Otis	Smith	Vanderbilt	
Clark					12

There being no quorum present, on motion of Mr. Upham, The Senate took a recess until eleven o'clock, a. m.

ELEVEN O'CLOCK, A. M.

The Senate again met.

Mr. Williams presented the petition of citizens of Cayuga co., for a law for the protection of fish, which was referred to the committee on the internal affairs of towns and counties.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to legalise certain highways in the town of Greig, in the county of Lewis," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the petition for that purpose, asked and obtained leave to introduce a bill entitled "An act authorising the commissioners of highways of the town of Hinsdale, to lay out roads less than three rods wide," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Clark, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act to provide for the incorporation of companies to construct plank roads, &c., passed May 7, 1847, and the acts amendatory thereof," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Cooley, from the select committee, to which was referred petitions, &c., of citizens of New-York, for the repeal of the act for the protection of emigrant passengers, passed April 13, 1853, reported, and asked and obtained leave to introduce a bill entitled "An act to amend the act for the protection of emigrant passengers arriving at the city of New-York, passed April 13, 1853," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act to change the name of the Commercial Insurance Company in the city of New-York, to that of the Commercial Mutual Insurance Company, and to further amend the act to incorporate the Commercial Insurance Company in the city of New-York, passed April 12, 1842," with power to report complete, so reported, and said bill was ordered to a third reading.

A message from the Assembly was received and read, informing that they had non-concurred in the passage of the following entitled bill, to wit:

"An act to authorise the sale of lands belonging to the State in the Niagara reservation."

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Erie and New-York city railroad company to acquire title to real estate required for the purpose of its incorporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of the town of Shirley, in the county of Erie," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Seneca Indian high school on the Cat-

tarangus reservation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act authorising the election of a police justice in the village of Poughkeepsie, passed March 10, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act authorising a charter election in the village of Carthage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act for the improvement of the Sacandaga river, and the west branch of said river, in the counties of Fulton and Hamilton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the New-York baptist union for ministerial education, to increase the number of trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to incorporate the village of Palmyra, in the county of Wayne, passed March 29, 1847,' and the various acts amendatory thereof inconsistent herewith," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act in relation to the Sing Sing State prison, by which the State prison districts are altered," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on State prisons, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the Free Will Baptist church and society of the town of Fabius, Onondaga co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to authorise the Lebanon Springs railroad company to construct an extension of its road into Massachusetts and Vermont, and to provide means therefor,' passed March 8, 1853," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on railroads, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend section thirty-two, of chapter four hundred and seventy, of an act passed December 14, 1847, in relation to the judiciary act passed May 12, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to authorise the supervisors of the county of Wayne, to levy a tax upon the town of Eyons, in said county, for the purpose of building a bridge over the Clyde river, on the Geneva road,' passed April 8, 1853," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the internal affairs of towns and counties, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend the Revised Statutes in relation to common schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act incorporating the village of Phoenix, in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act for the better security of mechanics and others erecting buildings and furnishing materials therefor, in the counties of Orleans and Niagara," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act providing for the taxation of the property of the Union railroad company in Troy," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on railroads, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to revise and consolidate the several acts in relation to the village of Kingston, in the county of Ulster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to make a road district of the village of Gallupville, passed March 1833," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to enable Claude Simonin to hold real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to improve the Grass river in St. Lawrence co., for floating timber and saw logs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of the Mohawk Valley Farmers' Insurance Company," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on banks and insurance companies, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the appraisal and payment of canal damages sustained by Richard Richardson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act concerning appeals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to divide the sixth judicial district of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act providing for the appointment of an additional number of commissioners of deeds in and for the city and county of New-

York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Richmondville and Summit Plank Road Company to borrow money," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills:

"An act for the relief of Relief lodge, number sixty-one, in the village of Gowanda."

"An act to revise and amend chapter 96, Laws of 1851, entitled 'An act to incorporate the Rome waterworks company.'"

"An act to amend the Revised Statutes in relation to courts of special sessions, and to regulate the police of the town of Waterford, passed March 2, 1850."

"An act to amend an act entitled 'An act in relation to the public schools in the city of Oswego,' passed April 5, 1853."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to amend an act for the incorporation of building, mutual loan and accumulating fund associations, passed April 10, 1851."

"An act to incorporate the village of Newark."

"An act to amend an act entitled 'An act relative to savings banks or institutions for savings in the city and county of New-York and the county of Kings,' passed April 15, 1853."

Ordered, That said bills do have their third reading:

On motion of Mr. Bristol, and by unanimous consent,

Resolved, That the committee having charge of the Assembly bill entitled "An act in relation to the public highway through the Chemung narrows, in the town and county of Chemung," be discharged, and that the same be ordered to a third reading.

The bill entitled "An act to authorise the sale or abandonment of any plank road in the counties of Clinton and Essex," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock
Bartlett

Clark
Conger

Davenport
Huntington

McElwain
Otis

Smith
Snow

Bennett
BristolCooley
CornellJones
KirbyPlatt
RogersUpham
VanSchoonhoven
20

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Clark, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the engrossed bill from the Assembly, entitled "An act to authorise the Monterey, Cooper's Plains and Corning Plank Road Company to borrow money," and that it be ordered to a third reading.

The Assembly bill entitled "An act in relation to the public highway through the Chemung narrows in the town and county of Chemung," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett
Bennett
Bristol
ClarkConger
Cornell
Davenport
HuntingtonJones
Kirby
McElwainOtis
Platt
SmithSnow
Upham
Williams

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Cooley presented the petition of citizens of New-York city and vicinity, for the passage of an act ceding to the government of the United States certain lands in the county of Kings, which was referred to the select committee.

By unanimous consent,

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to authorise the laying of railroad tracks in Division avenue, and through certain streets in the cities of Brooklyn and Williamsburgh, in the county of Kings," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. Williams asked for and obtained leave to introduce a bill entitled "An act for the protection of birds in public cemeteries," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee, to report complete.

The President appointed as such committee, Messrs. Williams, Bartlett and Beekman.

Mr. Babcock moved that the present order of business, (the third reading of bills,) be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Clark offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to prevent the sale of intoxicating liquors as a beverage," and that the same be ordered to a third reading.

Mr. Conger offered the following amendment thereto: That the Senate go into a committee of the whole on said bill, to-morrow at eleven o'clock.

Debate was had thereon, when

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Upham	Williams	
Bartlett	Cornell	Platt	VanSchoonhoven		9

FOR THE NEGATIVE.

Bennett	Clark	Davenport	Kirby	Otis	
Bristol	Cooley	Huntington	McElwain		9

Mr. Van Schoonhoven then moved to amend, as follows: That the Senate go into a committee of the whole on said bill, to-morrow at half past eleven o'clock, a. m.

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	VanSchoonhoven	Williams	
Bartlett	Cornell	Upham			8

FOR THE NEGATIVE.

Bennett	Clark	Davenport	Kirby	Platt	
Bristol	Cooley	Huntington	McElwain	Smith	10

Mr. Babcock moved to amend, so as to make said bill a special order in committee of the whole at four o'clock, p. m. to-day.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Platt	Williams	
Bartlett	Cornell	Otis			8

FOR THE NEGATIVE.

Bennett	Cooley	Huntington	McElwain	Upham	
Bristol	Davenport	Kirby	Smith	Van Schoonhoven	11
Clark					

Mr. Babcock moved that said bill be referred to a select committee, with power to report the same complete.

Debate was had thereon, when

At a quarter to two o'clock, p. m. the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The President presented the report of Canal Commissioner Mather, in reply to a resolution of the Senate, adopted on the 24th day of May last, in relation to business of the Champlain canal, which having been read,

Mr. Smith moved the printing of 2000 extra copies of said report.

Ordered, That said motion be referred to the committee on public printing.

A resolution from the Assembly was received and read, in the words following, to wit:

Resolved (If the Senate concur,) That the report of the commissioners on practice and pleadings made to the Legislature, which commenced its session on the first day of January, 1850, except the part thereof relating to civil actions, which is already enacted, be referred back to the surviving commissioners associated with Amasa J. Parker, Richard P. Marvin and Robert Campbell, to examine and revise the same as they shall deem best, and to report the same in printed form to the next Legislature, at the commencement of the session.

Ordered, That said resolution be laid on the table.

The President announced the question to be on Mr. Babcock's motion to refer the bill entitled "An act to prevent the sale of intoxicating liquors as a beverage," to a select committee with power to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Clark, Bristol, and Cornell.

By unanimous consent,

Mr. Cooley asked and obtained leave to introduce a bill entitled

"An act relative to the Albany savings bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

By unanimous consent,

Mr. Wright asked for and obtained leave to introduce a bill entitled "An act amending an act relating to the village of Whitehall," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bennett	Cooley	Kirby	Platt	VanSchoonhoven
Bristol	Davenport	McElwain	Smith	Williams
Clark	Huntington	Otis	Saw	Wright
Conger	Jones			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. Bennett presented the petition of citizens of Otsego co., for equalizing of tolls on plank roads, which was referred to the committee on roads and bridges.

Mr. Clark offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, (If the Assembly concur,) That the two Houses of this Legislature will adjourn sine die at twelve o'clock, at noon, on Tuesday, the 21st inst.

Ordered, That said resolution be laid on the table.

On motion of Mr. Bristol,

Resolved, That the judiciary committee be discharged from the further consideration of Senate bill, No. 182, for the relief of McMaster and Merritt, and that the same be returned to the Senate and ordered to a third reading.

By unanimous consent,

The Assembly bill entitled "An act to authorize the county judge of the county of Washington, to appoint a crier of the courts of record, to be held in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Huntington	Otis	VanSchoonhoven
Bennett	Cooley	Jones	Smith	Williams

Bristol
ClarkCornell
DavenportKirby
McElwain

Snow

Wright

18

FOR THE NEGATIVE.

Babcock

-Platt

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend the Revised Statutes in relation to common schools," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the Seneca Indian high school on the Cattaraugus reservation," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act of incorporation for library of merchants and clerks in the lower part of the city of New-York," reported against the passage of said bill, which report was agreed to.

By unanimous consent,

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to make a road district of the village of Gallupsville, passed March 1833," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the Richmondville and Summit plank road company to borrow money," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bartlett, from the committee on railroads, to which was referred the Assembly bill entitled "An act providing for the taxation of the property of the Union railroad company in Troy," with power to report complete, so reported, and said bill was ordered to a third reading.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

Assembly bill, entitled "An act for the payment to William George Barnhart, Jacob Barnhart and others, the amount to which they are entitled."

Assembly bill, entitled "An act for the relief of Frederick Gosskoff."

Assembly bill, entitled "An act for the improvement of the channels of Moose river and Swamp creek."

And after some time spent thereon, Mr. Kirby, from said committee, reported progress on said bills, and asked leave to sit again.

Mr. Van Schoonhoven moved that the second mentioned bill be referred to the committee on claims, with power to report the same complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on granting leave to sit again on said first mentioned bill.

Mr. Van Schoonhoven moved that the same be referred to the committee on the judiciary, with power to report the same complete.

Mr. Bristol moved to amend, by referring to the committee on claims.

Debate was had thereon, when

On motion of Mr. Cooley, the Senate adjourned to ten o'clock, a. m. to-morrow.

TUESDAY, JUNE 14, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Thayer.

The journal of yesterday was read and approved.

Mr. Morgan presented the remonstrance of Francis B. Cutting and others of the city of New-York, against establishing "Jones' Woods Park," which was referred to the select committee.

Mr. Morgan presented the memorial of Wm. Coventry and others of the city of New-York, for a law appropriating grounds between the Fifth and Eighth avenues in said city, as a central public park, which was referred to the select committee.

Mr. Cooley presented the petition of Robert Jackson and others, in favor of granting jurisdiction to the United States over certain lands occupied as a navy yard and navy hospital at Brooklyn, which was referred to the select committee.

Mr. Cooley presented the petition of Wm. Gardner and 116 others on the same subject, which was referred to the select committee.

Mr. Jones, from the committee on claims, to which was referred the Assembly bill entitled "An act to provide for the appraisal and payment of canal damages sustained by Richard Richardson," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Bartlett, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act en-

titled 'An act to authorise the Lebanon Springs railroad company to construct an extension of its road into Massachusetts and Vermont, and to provide means therefor,' passed March 8, 1853," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bartlett, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorise the Erie and New-York city railroad company to acquire title to real estate required for the purpose of its incorporation," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act to authorise the Pennsylvania coal company, incorporated by the State of Pennsylvania, to construct a portion of their road in this State," reported the same for the consideration of the Senate, which was committed to the committee of the whole.

Mr. McElwain, from the committee on agriculture, to which was referred the petition of the National Mining company, reported, and asked and obtained leave to introduce a bill entitled "An act to incorporate the National Mining Company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Babcock, from the committee on public printing, to which was referred a resolution of Mr. Smith for two thousand extra copies of Canal Commissioner Mather's report in relation to the Champlain canal, reported in favor of printing one thousand two hundred extra copies of said report.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act relative to the Albany savings bank," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act to change the name of the Mohawk Valley Farmers' Insurance Company," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the act to authorise the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other states and territories, passed April 10, 1850," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorise the supervisors of the county of Wayne, to levy a tax upon the town of Lyons, in said county, for the purpose of building a bridge over the Clyde river on the Geneva road,' passed April 8, 1850," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to improve the Grass river, in St. Lawrence county, for floating timber and saw logs," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bristol, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the improvement of the Sacandaga river, and the west branch of said river in the counties of Fulton and Hamilton," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to divide the nineteenth ward of the city of New-York, into two wards," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill, entitled "An act authorising a charter election in the village of Carthage," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill, entitled "An act to amend an act entitled 'An act to incorporate the village of Palmyra, in the county of Wayne, passed March 29, 1847,' and the various acts amendatory thereof inconsistent herewith," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the title of John Hawkins to a certain piece of land," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

On motion of Mr. Conger, and by unanimous consent,

The bill entitled "An act to provide for certain expenses of government," was recommitted to the committee on finance for amendments, &c.,

By unanimous consent,

Mr. Wright presented the petition of Harvey Brown for a law

in relation to the collection of assessments of highway labor and taxes of individual bankers on personal property, which was referred to the committee on the internal affairs of towns and counties.

Mr. Clark, from the select committee, to which was referred the bill entitled "An act to prevent the sale of intoxicating liquors as a beverage," with power to report complete, so reported, and said bill was ordered to a third reading.

On motion of Mr. Morgan, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to provide for the licensing and government of the pilots, and regulating pilotage of the port of New-York," and that said bill be referred to the committee on commerce and navigation, with power to report complete.

By unanimous consent,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to amend section 48, of article 4, title 8, chapter 20, part one of the Revised Statutes, of raffling and lotteries," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

Mr. Williams, from the select committee, to which was referred the bill entitled "An act for the protection of birds in public cemeteries," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Bennett, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the preservation of fish in all the streams of water in the State," reported in favor of the passage of the same with amendments.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Kirby asked and obtained leave to introduce a bill entitled "An act in relation to the 49th regiment of the 23d brigade, of the militia of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act to vest in the United States of America, jurisdiction over certain lands in the city of Brooklyn, and adjacent thereto," with amendments of Assembly thereto, reported in favor of concurring in said amendments.

By unanimous consent,

Said report was laid upon the table.

A resolution from the Assembly was received and read, in the words following, to wit:

Resolved, (If the Senate concur,) That twenty thousand copies of the defence of the Hon. John C. Mather, Canal Commissioner, be printed for the use of said Canal Commissioner.

Ordered, That said resolution be laid on the table, and referred to the committee on public printing.

On motion of Mr. Vanderbilt, and by unanimous consent,

Resolved, That the act entitled "An act to amend the general law relative to the incorporation of insurance companies," be referred to a select committee to report complete.

The President appointed as such committee, Messrs. Vanderbilt, Davenport and Upham.

On motion of Mr. Upham, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend the charter of the Niagara Falls International Bridge Company," and that the same be recommitted to the committee on roads and bridges, with power to report the same complete.

On motion of Mr. Bennett, and by unanimous consent,

Resolved, That the bill entitled "An act relative to the New Berlin and Brookfield plank road company," be engrossed for a third reading.

On motion of Mr. Morgan, and by unanimous consent,

Resolved, That the bill in relation to the Pennsylvania coal company, be made a special order for Thursday next, at twelve o'clock; also, the bill relating to the National Mining Company.

By unanimous consent,

Mr. Huntington asked and obtained leave to introduce a bill entitled "An act in relation to the Utica waterworks company," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

The Assembly bill entitled "An act to change the name of the town of Shirley, in the county of Erie," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Jones	Otis	Upham
Beckman	Cornell	Kirby	Rogers	VanSchoonhoven
Bristol	Davenport	McElwain	Smith	Ward
Clark	Huntington	Munroe	Snow	Williams
Conger				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill, entitled "An act to change the name of the Commercial Insurance Company in the city of New-York, to that of the Commercial Mutual Insurance Company, and to further amend the act to incorporate the Commercial Insurance Company in the city of New-York, passed April 12, 1842," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beekman	Conger	Jones	Munroe	Snow	
Bennett	Cooley	Kirby	Pierce	Upham	
Bristol	Davenport	McElwain	Platt	Vanderbilt	
Clark	Huntington	Morgan	Smith	Ward	20

FOR THE NEGATIVE.

Williams

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to authorise stockholders of railroad and plank road companies, to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beekman	Cooley	McElwain	Smith	Vanderbilt	
Bristol	Davenport	Pierce	Snow	VanSchoonhoven	
Clark	Jones	Platt	Upham	Ward	
Conger	Kirby				17

FOR THE NEGATIVE.

Huntington	Williams	Wright	3
------------	----------	--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to supply a deficiency in the appropriations for the support of the Western house of refuge for the fiscal year ending September 30, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Newcomb	Snow
Beekman	Davenport	McElwain	Otis	Upham

Bennett	Huntington	Morgan	Platt	Ward	
Clark	Jones	Munroe	Smith	Wright	20

FOR THE NEGATIVE.

Babcock

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to enable the society for the reformation of juvenile delinquents in the city of New-York, to complete their new buildings and to appropriate money therefor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

1

FOR THE AFFIRMATIVE.

Beekman	Conger	Jones	Munroe	Smith
Bennett	Cooley	Kirby	Newcomb	Snow
Bristol	Davenport	McElwain	Otis	Upham
Clark	Huntington	Morgan	Platt	Vanderbilt

20

FOR THE NEGATIVE.

Babcock

Ward

Wright

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to incorporate the Atlantic and Pacific railroad company," was read a third time, when

Mr. Ward moved that the same be recommitted to the committee on railroads, with power to report the same forthwith complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Bartlett, from the committee on railroads, reported back said bill complete, when

By unanimous consent,

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Munroe	Smith	Vanderbilt
Beekman	Davenport	Newcomb	Snow	Ward
Bennett	Huntington	Otis	Upham	Wright
Bristol	McElwain			

17

FOR THE NEGATIVE.

Babcock	Cooley	Jones	Pierce	Platt	
Conger	Cornell				7

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorise the Lebanon Springs railroad company to construct an extension of its road into Massachusetts and Vermont, and to provide means therefor,' passed March 8, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	McElwain	Otis	Upham	
Beach	Davenport	Morgan	Platt	Vanderbilt	
Beekman	Huntington	Munroe	Smith	Ward	
Clark	Kirby	Newcomb	Snow	Williams	20

FOR THE NEGATIVE.

Jones	Wright	2
-------	--------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act declaring Black river a public highway, and regulating the passage of logs and lumber down the same from the Moose river, and for the improvement of the said river," was read a third time, when

Mr. Conger moved to recommit said bill to the committee of the whole, with instructions to amend the same.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beekman	Davenport	Munroe	Snow	VanSchoonhoven	
Bristol	Huntington	Newcomb	Taber	Ward	
Clark	Kirby	Smith	Vanderbilt	Wright	
Cooley	Morgan				17

FOR THE NEGATIVE.

Babcock	Conger	Cornell	Jones	Otis	5
---------	--------	---------	-------	------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

At twelve o'clock, m., the President announced the special order, it being executive session ;

And after some time spent therein, legislative business was resumed, when the bill entitled "An act to prevent the sale of intoxicating drinks as a beverage," was called up for a third reading.

Mr. Conger moved to lay the same on the table.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Conger	Jones				2
--------	-------	--	--	--	---

FOR THE NEGATIVE.

Babcock	Clark	Kirby	Otis	Upham	
Bartlett	Cooley	McElwain	Platt	Ward	
Beekman	Davenport	Munroe	Smith	Williams	
Bristol	Huntington	Newcomb	Taber	Wright	20

Mr. Conger then moved to recommit said bill to the committee of the whole.

Debate was had thereon, when

The hour of 1½ p. m. having arrived, the Senate took a recess until 4 o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

On motion of Mr. Ward and by unanimous consent,

Resolved, That Assembly bill No. 266, be taken from the general orders, and that the same be ordered to a third reading.

On motion of Mr. Vanderbilt and by unanimous consent, the bill entitled "An act to authorise the laying of a double railroad track through certain streets in the cities of Williamsburgh and Brooklyn, and the towns of Bushwick and Newlots in the county of Kings," was recommitted to the committee on railroads, with power to report complete.

By unanimous consent,

Mr. Vanderbilt, from the select committee, to which was referred the bill entitled "An act to amend the general law relative to the incorporation of insurance companies," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Vanderbilt, from the committee on judiciary, to which was referred the Assembly bill entitled "An act to authorise the removal of certain books, records and papers, from the office of the surrogate of the city and county of New-York, to the office of

the surrogate of the county of Ulster," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

The President announced the question to be on the motion of Mr. Conger to recommit the bill entitled "An act to prevent the sale of intoxicating liquors as a beverage," which was referred to the committee of the whole.

Mr. Monroe called for the ayes and noes thereon.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beckman	Conger	Otis	Platt	VanSchoonhoven
Bennett	Jones	Pierce	Smith	9

FOR THE NEGATIVE.

Beach	Davenport	Kirby	Monroe	Upham
Bristol	Huntington	McElwain	Newcomb	Ward
Clark				11

Mr. Conger then moved to recommit said bill to the committee of the whole, with instructions to report the following amendment as a substitute for said bill :

AN ACT

To amend the ninth title of the twentieth chapter of the first part of the Revised Statutes, entitled of Excise and the regulation of taverns and groceries, and other laws amending the same.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

§ 1. There shall be elected, at the next general election, three commissioners, into and for each of the counties of the State, to perform excise duties, as required in this act in the place of the excise duties now discharged by any other officer, officers or board. The commissioner receiving the greatest number of the votes cast at such election, shall hold his office for three years from the first Monday of January succeeding such election; the commissioner receiving the number of votes next to the greatest for two years, and the remaining commissioner to be elected, as aforesaid, for one year. In case of any two or more having the same number of votes, the number of years, whether for one, two or three years for which they shall respectively serve, shall be determined by lot before the county judge. At each general election succeeding the one above referred to, there shall be annually elected one commissioner, who shall take office on the first Monday in January succeeding his election, and shall hold office for the term of three years.

§ 2. The commissioners shall meet on the first Monday of January, in each year, at the court house, in their respective counties, and where there are more than one in such one as a majority of the board may direct. Twenty days notice, in at least two papers circulating in the county, preference being given to those printed therein, shall be published by the board of the time and place of such meeting.

§ 3. The commissioners shall keep a book of minutes of their proceedings, in which shall be entered every application made to them for permit under the provisions of this act, the name of the applicant, with the name of his proposed bondsmen, and the kind or description of permit for which he applies; and they shall also enter every resolution passed by them, granting a license to any such applicant which resolution shall be signed by the members of the board voting for or approving the same, which minutes shall be verified by the signatures of the commissioners. Before signing any permit, approved by a majority of the said board, each of the commissioners shall make oath that he has well and truly discharged the duty imposed on him, by this act, in the granting of permits approved by him, to the best of his ability, and shall append his affidavit to the said minutes, copies of which said minutes shall be published in at least two papers circulating or printed in the county as aforesaid. The original minutes shall be filed in the office of the clerk of the county in and for which said commissioners shall have been elected, within five days after the signatures and affidavits aforesaid, shall have been made. Whenever a commissioner shall not approve of the granting of a permit to any of the applicants, as aforesaid, it shall not be necessary for him to make any affidavit as aforesaid. It shall not be lawful for the board to grant any further permits for the current year, except in the cases hereinafter provided.

§ 4. The said boards shall have power to grant permits to persons proposing to keep inns or taverns, resident of the county for which any such board shall have been elected, to sell strong and spirituous liquors and wines, other than adulterated, to be drunk in such inns or taverns, respectively, and to grocers, being such residents, permits to sell such liquors and wines in quantities less than five gallons, but not to be drunk in their shops, houses, out-houses, yards or gardens, and to determine the sum to be paid for a cash permit by each person applying or receiving the same which shall not be less than fifty dollars, nor more than two thousand five hundred dollars.

§ 5. No fee or reward shall be taken by such board or by any member thereof, for any permit or for any service required of the said board, nor shall any compensation be retained by any such board or any member thereof out of the excise money, but the whole amount thereof shall be paid to the treasurer or chamberlain of the county, but each of the said commissioners shall be entitled to receive five dollars for each days actual attendance

on the meetings of the said board, but not more, in all, than the sum of fifty dollars in any year, to be audited, allowed and paid in like manner with other county charges, together with the expenses of procuring blanks for such licenses, and the bond to be given as hereinafter provided, when actually incurred:

§ 6. Permits shall not be granted to any person to sell strong and spirituous liquors and wines as aforesaid, to be drunk in the house of the seller, unless such person proposes to keep an inn or tavern, and the commissioners are satisfied that he is of sufficient ability to keep a tavern, and has the necessary accommodations to entertain travellers, and that a tavern, such as the applicant proposes to keep, is absolutely necessary for the accommodation of travellers at the place where such applicant resides, or proposes to keep the same, and further such applicant has never previously sold liquor without license, nor kept a disorderly house, nor been convicted of any misdemeanor or other crime, all which shall be expressly stated in every such license.

§ 7. All permits to be granted by any such board, shall state further that they are issued on the conditions following, to wit, that the person to whom it is issued shall not, either in person or by agent, or any one on his premises, directly or indirectly, sell or suffer to be sold on his premises, any adulterated or impure liquors or wines, that he will not, as aforesaid, sell any liquors, wines, or other intoxicating drink on the Sabbath day, or to any minor under the age of eighteen years, or to any apprentice or servant without the written consent or permission of the father, mother or guardian of such minor, or of the master or employer of such apprentice or servant, as the case may be, and further, that he will not, as aforesaid, sell to any person known as given to intoxication, or whose husband, wife, parent or other relative or friend has, within six months previously notified the holder of the said permit that such person has suffered injurious effects from the use of such liquors, or been thereby the source of disquiet or abuse to any of his family or neighbors, and on the further consideration that such person to whom such permit is issued during the time he shall hold the said permit, will not suffer his premises to be used for disorderly purposes, nor suffer or permit thereon any gaming or playing with cards or dice, nor keep any billiard table, or other gaming table on the same or any part thereof.

§ 8. Every permit to any tavern-keeper shall contain the further provision that such permit alone authorises the sale of such liquors as aforesaid, to be drunk on the premises, and every permit to any grocer shall contain the further provision that such permit authorises only the sale of such liquors, and in quantities as aforesaid, and not to be drunk on the premises.

§ 9. Before any such permit shall be signed by the commissioners, the applicant to whom they may have resolved to grant the

same, shall execute and deliver to the said commissioners, and to them by their name of office, a bond in the penal sum of not less than two thousand, nor more than twenty thousand dollars, such sum to be determined by the commissioners when they shall fix the amount of excise money to be taken for such permit, to be executed by the person receiving such permit and the two sureties named by them at the time of the handing in of their application, who shall, before signing the same, justify before the said commissioners as to their responsibility as such sureties as in other cases now provided by law. Such bond shall be conditioned for the faithful observance of each and every of the conditions and provisions of such permit, and that the person obtaining the said permit shall well and truly pay all damages and costs that may be recovered in any action brought for any breach of such conditions and provisions either by the said commissioners for the benefit of the poor of the county, or by any person aggrieved by reason of any such breach.

§ 10. Whenever the commissioners, or a majority of them shall have good reason to believe that any person holding any permit has violated the conditions of the same the board shall assemble at a time and place to be determined by a majority of them, notice of which shall be given to such person and to any citizens who have signified to said commissioners or any of them, that they have any knowledge pertaining to any such violation of the conditions of such permit. At the time appointed the board shall proceed to enquire into the circumstances of the case, and on being satisfied that the conditions or provisions of the said permit, or any of them, has been violated, shall immediately revoke the said permit, and order and cause the bond given thereon to be prosecuted to judgment.

§ 11. Any person who shall sell any such strong or spirituous liquors or wines, as aforesaid, to be drunk upon his or her premises, or any part thereof, or in quantities less than five gallons without any permit as aforesaid, shall, upon conviction, be fined in the discretion of the court before which such conviction was had, a sum not less than two hundred dollars, nor more than one thousand dollars, and shall be sentenced to imprisonment in the jail of the county where such sale was made for a term not less than six months, or in any of the State Prisons for a term not greater than three years.

§ 12. Whenever any person shall be convicted for a first offence against the provisions of this act, it shall be lawful for the court before which such conviction shall be had to suspend the operation of the sentence for imprisonment, as aforesaid, on the party who may be convicted entering into a recognizance that he will not, at any time thereafter violate any of the provisions of this act.

§ 13. Any person who shall sell any adulterated liquors or wines shall, on conviction, be fined by the court before which

such conviction shall have been had, in a sum not less than five hundred dollars, and shall be sentenced to imprisonment in the State Prison for a term not less than three years.

§ 14. All existing licenses are declared to be revoked from and after the second Monday of January next, and the person holding such licenses shall be entitled to receive from the treasury of the county into which they have paid any fees or license money for such license, such sum as may be found proportioned to the term for which such license was granted, the term unexpired of such license and the amount previously paid for the same.

§ 15. Whenever the commissioners shall revoke any permit granted by them as by the provisions of the 10th section of this act they may, in their discretion, appoint a time and place for the purpose of granting a permit in the place of any one revoked, and shall give notice of such meeting in the manner provided in the 2d section of this act.

§ 16. All laws and parts of laws inconsistent with the provisions of this act are hereby repealed.

Mr. Platt moved to amend said motion of Mr. Conger, as follows: by recommitting said bill to the committee of the whole with instructions to strike out the section therein requiring a submission of the said bill to a vote of the people and report the same forthwith.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the motion of Mr. Van Schoonhoven, which was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Conger	Fliese	Upham	VanSchoonhoven
Bennett	Jones	Platt		8

FOR THE NEGATIVE.

Beckman	Cornell	McElwain	Smith	Ward
Bristol	Davenport	Munroe	Snow	Williams
Clark	Huntington	Newcomb	Taber	Wright
Cooley	Kirby	Rogers		18

The President announced the question to be on the said motion of Mr. Conger.

Mr. Clark called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beckman	Jones	Otis	Smith	Snow
Conger	Newcomb	Platt		8

FOR THE NEGATIVE.

Beach	Cornell	Kirby	Rogers	Ward
Bristol	Davenport	McElwain	Taber	Williams
Clark	Huntington	Munroe	Upham	Wright
				18

The said bill was then read a third time, when

Mr. McElwain moved to recommit to the select committee, which reported the same with instructions to strike out the 24th section and report forthwith.

Mr. Pierce moved to amend by instructing said committee also to strike out the 34th section.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Beach	Jones	Pierce	Platt	8
---------	-------	-------	--------	-------	---

FOR THE NEGATIVE.

Bartlett	Conger	Huntington	Otis	Taber	
Beckman	Cooley	Kirby	Rogers	Ward	
Bennett	Cornell	McElwain	Smith	Wright	
Clark	Davenport	Newcomb	Snow		19

The President announced the question to be on the motion of Mr. McElwain.

Mr. McElwain called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Upham	Ward	
Beckman	Cornell	McElwain	Van Schoonhoven	Williams	
Bristol	Davenport	Platt			12

FOR THE NEGATIVE.

Bartlett	Cooley	Munroe	Pierce	Snow	
Beach	Huntington	Newcomb	Rogers	Taber	
Bennett	Jones	Otis	Smith	Wright	
Conger					16

Mr. Pierce moved to recommit to the committee of the whole with instructions to strike out the 35th section, and report the same forthwith, as thus amended.

Debate was had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Pierce	Platt				2
--------	-------	--	--	--	---

FOR THE NEGATIVE.

Babcock	Bristol	Davenport	Munroe	Snow	
Bartlett	Clark	Huntington	Newcomb	Upham	
Beach	Conger	Jones	Otis	Ward	
Beckman	Cooley	Kirby	Rogers	Wright	
Bennett	Cornell	McElwain	Smith		24

Mr. Platt moved the reconsideration of the vote on his motion to recommit said bill to the committee of the whole, with instructions to strike out the 45th section requiring submission of said bill to a vote of the people.

Mr. Ward called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Beach	Jones	Platt	VanSchoonhoven
Bartlett	Huntington	Pierce	Upham	9

FOR THE NEGATIVE.

Beckman	Cooley	McElwain	Rogers	Vanderbilt
Bennett	Cornell	Monroe	Smith	Ward
Bristol	Davenport	Newcomb	Saw	Williams
Clark	Kirby	Otis	Taber	Wright
Conger				21

Mr. Williams moved to reconsider the vote on the motion of Mr. Pierce, to recommit said bill to the committee of the whole, with instruction to strike out the 34th section.

Debate was had thereon, when

Mr. Williams withdrew said motion.

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Cornell	Monroe	Snow	Ward
Bristol	Davenport	Otis	Taber	Williams
Clark	Kirby	Rogers	Upham	Wright
Cooley	McElwain			17

FOR THE NEGATIVE.

Babcock	Bennett	Jones	Platt	Vanderbilt
Bartlett	Conger	Newcomb	Smith	VanSchoonhoven
Beckman	Huntington	Pierce		18

A bill was received from the Assembly for concurrence, entitled "An act to repeal an act entitled 'An act for the relief of the president and first company of the Northern turnpike road,' passed April 5, 1853," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Niagara Ship Canal Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A message from the Assembly was received and read, in the words following, to wit:

The conference committee appointed on the part of the Senate and Assembly, on the disagreement between the two Houses respecting the proposed resolution to amend the Constitution relating to the canals, having reported the following resolution upon that subject, the said report has this day been agreed to by this House, and the said resolution duly passed by a majority of all the members elected to the Assembly.

CONCURRENT RESOLUTION

Proposing an amendment to the Constitution in relation to the canals.

Resolved, (If the Senate concur,) That the following amendment be proposed to the Constitution of this State, and referred to the Legislature to be chosen at the next general election of Senators, and be published for three months previous to making such choice, in pursuance of the provisions of the first section of the thirteenth article of said Constitution :

Substitute for section three, of article seven, the following :

After paying the said expenses of collection, superintendence and repairs of the canals, and the sums appropriated by the first and second sections of this article, there shall be appropriated and set apart in each fiscal year, out of the surplus revenues of the canals, as a sinking fund, a sum sufficient to pay the interest as it falls due, and extinguish the principal within eighteen years, of any loan made under this section; and if the said Sinking Fund shall not be sufficient to redeem any part of the principal at the stipulated times of payment, or to pay any part of the interest of such loans as stipulated, the means to satisfy any such deficiency shall be procured on the credit of the said Sinking Fund. After complying with the foregoing provisions, there shall be paid annually out of said revenues into the treasury of the State, two hundred thousand dollars, to defray the necessary expenses of government. The remainder shall, in each fiscal year, be applied to meet appropriations for the enlargement and completion of the canals mentioned in this section, until the said canals shall be completed. In each fiscal year thereafter, the remainder shall be disposed of in such manner as the Legislature may direct; but shall at no time be anticipated or pledged for more than one year in advance. The Legislature shall annually, during the next four years, appropriate to the enlargement of the Erie, the Oswego, the Cayuga and Seneca canals, and to the completion of the Black river and Genesee Valley canals, and for the enlargement of the locks of the Champlain canals, whenever from dilapidation or decay it shall be necessary to rebuild them, a sum not exceeding two millions two hundred and fifty thousand dollars. The remainder of the revenues of the canals for the current fiscal year in which such appropriation is made, shall be ap-

plied to meet such appropriation, and if the same shall be deemed insufficient, the Legislature shall at the same session provide for the deficiency by loan. The Legislature shall also borrow one million and five hundred thousand dollars, to refund to the holders of the canal revenue certificates, issued under the provisions of chapter four hundred and eighty-five, of the laws of the year one thousand eight hundred and fifty-one, the amount received into the treasury thereon; but no interest to accrue after July first, one thousand eight hundred and fifty-five, shall be paid on such certificates. The provisions of section twelve of this article, requiring every law for borrowing money to be submitted to the people, shall not apply to the loans authorized by this section. No part of the revenues of the canals, or of the funds borrowed under this section, shall be paid or applied upon or in consequence of any alleged contract made under chapter four hundred and eighty-five, of the laws of the year one thousand eight hundred and fifty-one, except to pay for work done or materials furnished prior to the first day of June, one thousand eight hundred and fifty-two. The rates of toll on persons and property transported on the canals shall not be reduced below those for the year one thousand eight hundred and fifty-two, except by the Canal Board, with the concurrence of the Legislature. All contracts for work or materials on any canal, shall be made with the persons who shall offer to do or provide the same at the lowest price, with adequate security for their performance.

Mr. Vanderbilt moved that said resolution be made a special order for to-morrow at eleven o'clock, a. m.

Mr. Bristol asked unanimous consent for the consideration of said resolution at once

There being objections,

The President put the question whether the Senate would agree to the said motion of Mr. Vanderbilt, and it was decided in the affirmative.

By unanimous consent,

The Assembly bill entitled "An act to repeal an act entitled 'An act for the relief of the president and first company of the Northern turnpike road,' passed April 5, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beekman	Davenport	Otis	Smith	VanSchoonhoven
Bristol	Jones	Pierce	Snow	Ward
Conger	Kirby	Platt	Upham	Williams
Cooley	McElwain	Rogers	Vanderbilt	Wright: 20

Ordered, That the Clerk return said bill to the Assembly, with

message informing that the Senate have passed the same without amendment.

On motion of Mr. Cooley, and by unanimous consent,

The committee of the whole was discharged from the further consideration of the bill entitled "An act to allow the Staten Island railroad company to extend the time to commence the construction of their road two years," and it was ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	Newcomb	Smith	VanSchoonhoven
Bristol	Jones	Otis	Snow	Ward
Clark	Kirby	Platt	Upham	Williams
Cooley	McElwain	Rogers	Vanderbilt	Wright
Davenport	Munroe			
				22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise any railroad company in this State, to subscribe to the stock of the Attica and Allegany Valley railroad company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Cooley	Munroe	Smith	Ward
Beckman	Huntington	Otis	Snow	Williams
Bristol	Kirby	Platt	Upham	Wright
Clark	McElwain	Rogers		
				18

FOR THE NEGATIVE.

Babcock	Cornell	Jones	Nerce	VanSchoonhoven
Conger				6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Babcock,

The Senate adjourned to ten o'clock, a. m., to-morrow.

WEDNESDAY, JUNE 15, 1863.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Palmer.

The journal of yesterday was read and approved.

Mr. Huntington presented two several remonstrances of citizens of Rome village, Oneida county, against any amendment of the village charter, which were referred to the committee on the incorporation of cities and villages.

Mr. Morgan presented four several petitions of 8,155 citizens of New-York city, also the petition of Wm. W. De Forest, and other citizens of New-York city, for a law establishing a central park in said city, which were referred to the select committee.

Mr. Beekman presented the petition of Bernard Duffy and three hundred and thirty-four other mechanics and laborers at the Brooklyn navy yard, for an extension of jurisdiction of the United States over certain lands purchased by the general government, between Flushing avenue and Wallabout Bay, which was laid upon the table.

Mr. Morgan presented the remonstrance of Wm. P. Furniss, Shepherd Knapp and others, against the establishment of Jones' Woods park, and in favor of the Central park, which was referred to the select committee.

Mr. Vanderbilt presented the petition of the Jamaica plank road company to change a gate on their road, which was referred to the committee on roads and bridges.

Mr. Cooley presented the petition of Wm. Flinn and other citizens of New-York city, in favor of Central park in preference to "Jones' Woods park," which was referred to the select committee.

Mr. Morgan presented the remonstrance of a meeting of citizens of New-York city, against a law to authorize the sinking of a block or other obstruction in the East river near the Atlantic dock, which was referred to the committee on commerce and navigation.

Mr. Jones, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Frederick Gosskoff," reported adversely.

By unanimous consent,

Said bill was laid upon the table.

Mr. Bartlett, from the committee on railroads, to which was recommitted the bill entitled "An act to authorize the laying of railroad tracks in Division avenue, and through certain streets in the cities of Brooklyn and Williamsburgh in the county of Kings," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was recommitted the bill entitled "An act to amend the charter of the Niagara Falls International Bridge Company," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Platt, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to provide for the licensing and government of the pilots, and regulating

pilotage of the port of New-York," with power to report complete, so reported.

Mr. Cooley moved to amend said report, by striking out the 14th section of said bill.

Debate was had thereon, when

The hour of eleven o'clock, a. m., having arrived, the President announced the special order, it being the consideration of the concurrent resolution of the conference committee of the Senate and Assembly for an amendment of the Constitution in relation to the canals.

Said resolution was then read.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Pierce	Vanderbilt
Bartlett	Conger	McElwain	Platt	VanSchoonhoven
Beach	Cooley	Morgan	Rogers	Ward
Beekman	Cornell	Manroe	Smith	Williams
Bennett	Davenport	Newcomb	Snow	Wright
Bristol	Huntington	Otis	Upham	
				29

FOR THE NEGATIVE.

Jones

1

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have passed the same without amendment.

The President announced the question before the Senate to be on the motion of Mr. Cooley, to amend the report of a majority of the committee on commerce and navigation, on the pilot bill, by striking out the 14th section of said bill.

Debate was had thereon, when

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion of Mr. Cooley, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Huntington	Munroe	Snow	VanSchoonhoven
Clark	Jones	Rogers	Vanderbilt	Williams
Cooley	McElwain	Smith		
				18

FOR THE NEGATIVE.

Babcock	Beekman	Conger	Newcomb	Platt
Bartlett	Bennett	Morgan		
				8

The President then put the question on agreeing to the report of the committee on commerce and navigation, as amended, and it was decided in the affirmative.

Ordered, That said bill do have its third reading.

Mr. Babcock, from the committee on public printing, to which was referred a resolution from the Assembly for printing 20,000 extra copies of Commissioner Mather's defence, to charges made to the Assembly against him, reported in favor of printing 5,000 extra copies of such defence.

Mr. Cooley moved to amend said report, by striking out 5,000 extra copies, as reported, and inserting 20,000 instead.

Debate was had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Cooley	Newcomb	Smith	VanSchoonhoven
Bennett	Huntington	Otis	Snow	Williams
Bristol	Morgan	Rogers	Vanderbilt	Wright
Clark				

16

FOR THE NEGATIVE.

Babcock	Jones	McElwain	Munroe	Pierce
Cornell				

6

The President announced the question to be on the report of the printing committee as amended.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Cooley	Newcomb	Smith	VanSchoonhoven
Bennett	Huntington	Otis	Snow	Williams
Bristol	Kirby	Rogers	Vanderbilt	Wright
Clark	Morgan			

17

FOR THE NEGATIVE.

Babcock	Jones	McElwain	Munroe	Pierce
Cornell				

6

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bills:

"An act to provide for rebuilding a bridge across the Canandaigua outlet at the village of Alloway, in the town of Lyons, Wayne co., and for raising money for that purpose by tax upon said town."

"An act to authorise the Canal Commissioners to construct a road bridge over the Oswego canal in the village of Phoenix."

"An act to provide for the construction of a bridge across the Oneida river at Caughdenoy."

"An act to aid in the erection of a monument commemorative of the Declaration of Independence."

"An act authorising the Canal Commissioners to build a bridge across the Erie canal in the village of Tonawanda."

Ordered, That the Clerk return said bills to the Assembly,

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills:

"An act to allow the Staten Island railroad company to extend the time to commence the construction of their road, two years."

"An act to amend the act incorporating the village of Attica, passed May 2, 1837, to alter the bounds and to enlarge the powers of the corporation of said village."

Ordered, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to release the interest of the people of this State, in certain lands to Elizabeth Baron, and to authorise her to hold and convey the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to alter the Commissioners' map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act in relation to common schools in the city of Albany, west of Perry street," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Comptroller to loan money to the towns of Watertown, Pamela and Wilna, in the county of Jefferson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Mechanics' and Marine savings bank in the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Betsy McIntosh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bristol called up for consideration the concurrent resolution from the Assembly, for the appointment of a joint committee of the Senate and Assembly, to designate some time after the adjournment of the Legislature, for taking an excursion agreeably with the invitation from the Erie railroad company.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

The President appointed Messrs. Bristol, Bartlett and Williams, a committee on the part of the Senate.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act in relation to the Utica waterworks company."

"An act to amend the act to authorise the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and territories."

"An act to amend an act to provide for the incorporation of companies to construct plank roads, and of companies to construct turnpike roads, passed May 7, 1847, and the acts amendatory thereof."

"An act for the protection of birds in public cemeteries."

"An act relative to the Albany Savings bank."

Ordered, That said bills do have their third reading.

Mr. Williams, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill, entitled "An act to revise, amend and consolidate the several acts in relation to the village of Kingston, in the county of Ulster," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be recommitted to said committee, with power to report the same complete.

Mr. Rogers, from the committee on State prisons, to which was referred the Assembly bill entitled "An act to amend the act in relation to the Sing Sing State prison, by which the State prison districts are altered," with power to report complete, so reported, and said bill was ordered to a third reading.

At a quarter to two o'clock, p. m. the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

On calling the roll the following Senators answered to their names:

Bartlett	Davenport	McElwain	Otis	Snow
Beckman	Huntington	Manroe	Platt	Upham
Bennett	Jones	Newcomb		

There being no quorum present,

Mr. Upham moved that the Senate do now adjourn.

Mr. Manroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE

Beckman	Bennett	Huntington	Upham
---------	---------	------------	-------

FOR THE NEGATIVE.

Babcock	Dayenport	Morgan	Newcomb	Platt
Bartlett	Jones	Munroe	Otis	Snow
Bristol	McElwain			

12

By unanimous consent;

Mr. Upham, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide for building a bridge across the Tonawanda creek, at or near where the road commonly called the Bear Ridge road intersects the road along the northerly side of said creek," reported in favor of the passage of the same, without amendment.

By unanimous consent,

Ordered, That said bill be referred to a select committee, to report complete.

The President appointed as such committee, Messrs. Upham, Babcock and Cernell.

By unanimous consent,

Mr. Munroe asked and obtained leave to authorize the erection of a half-toll gate between the village of Elbridge and Skaneateles junction," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

By unanimous consent,

Mr. Bartlett asked for and obtained leave to introduce a bill entitled "An act requiring compensation for causing death by wrongful act, neglect or default," which was read the first time and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

On motion of Mr. Pierce, and by unanimous consent,

Resolved, That the Catholic church bill be made the special order for to-morrow, at half-past ten.

On motion of Mr. Beekman and by unanimous consent,

Resolved, That "An act to regulate the compensation of the assessors of the street department of the city of New-York," be referred to a select committee consisting of the Senators from the city of New-York, with power to report complete.

The Assembly bill entitled "An act to amend the act in relation to the Sing Sing State Prison, by which the State Prison districts are altered," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Otis	Upham
Bartlett	Clark	McElwain	Rogers	Vanderbilt

Beekman
BennettConger
DavenportMorgan
NewcombSmith
Snow

Wright

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Babcock called for the consideration of the report of a majority of the select committee on the bill entitled "An act to vest in the United States of America, jurisdiction over certain lands in the city of Brooklyn and adjacent thereto."

Mr. Vanderbilt moved to amend the report of the select committee as follows:

Add after "department," in the first section "which said plan has been filed by the United States in the office of the Secretary of this State, and on which said map Vanderbilt and Clinton avenues are laid down and recognised as public streets."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Vanderbilt moved to amend the said report as follows: in section first, strike out the word "and" and insert "on."

The President then put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Vanderbilt moved to amend as follows: Add, at the end of the fifth section "but nothing herein contained shall prevent the authorities of Brooklyn from enforcing assessments for grading and paving Vanderbilt and Clinton avenues, on land lying between said avenues and between Clinton avenue and the hospital wall, in the manner that assessments are laid for grading and paving streets and avenues in said city."

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of said committee, and it was decided in the affirmative.

By unanimous consent,

Mr. Williams asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorise the town of Sterling, in the county of Cayuga, to borrow money and to tax the town for the payment of the same, passed June 23d, 1851,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

On motion of Mr. Wright the Senate adjourned to 10 o'clock, a. m., to-morrow.

THURSDAY, JUNE 14, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Morrrell.

The journal of yesterday was read and approved.

Mr. Morgan presented the following communication:

Mr. Taber asks the unanimous consent of the Senate that his name be recorded in the affirmative on the resolutions for the enlargement and completion of the canals. The name of his father was recorded in this Legislature 36 years since in favor of the first effectual measures for the construction of the Erie and Champlain canals, and he would deeply regret that his own should not be found recorded in favor of their speedy completion.

Debate was had thereon, when

The President decided that in the absence of Mr. Taber his vote could not be recorded as requested.

Mr. Cooley presented a remonstrance against the proposed Flushing railroad bridge over the Newtown creek, which was referred to the committee of the whole.

Mr. Morgan presented a memorial from a committee of merchants, shipowners, and others, for a better protection of the harbor of New-York, from encroachments, which was referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Smith asked and obtained leave to introduce a bill entitled "An act making the village of Malone a highway district, and authorizing said village to borrow money," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Morgan, from the committee on cities and villages, to which was referred the Assembly bill entitled "An act to revise, amend and consolidate the several acts in relation to the village of Kingston, in the county of Ulster," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Clark, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorise the erection of a half-toll gate between Elbridge and Skaneateles junction," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Conger, from the committee on finance, to which was recommitteed the bill entitled "An act to provide for certain expenses of government," reported the same back with amendments, which was committed to the committee of the whole.

On motion of Mr. Conger the said bill was ordered to be printed as amended.

Mr. Clark, from the committee on engrossed bills, reported the following bills as correctly engrossed:

"An act for the relief of the New Berlin and Brookfield plank road company."

"An act to amend the charter of the Niagara Falls international bridge company."

Ordered, That said bills do have a third reading.

By unanimous consent,

Mr. Jones offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That in order to prevent interruption to the speedy consideration of important bills already brought in, the Senate will not entertain or receive any new bill after this day.

Mr. Van Schoonhoven moved to amend by adding as follows, "until pending bills have been disposed of."

Mr. Wright moved to lay the whole subject on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

Mr. Pierce asked and obtained leave to introduce a bill entitled "An act to authorize the allowance of certain claims against the State, for expenditures on account of the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The President announced the special order, it being the consideration of the bill entitled "An act to authorize the incorporation of Roman Catholic congregations or societies."

The Senate then resolved itself into a committee of the whole on said bill:

And after some time spent thereon, Mr. Otis, from said committee, reported in favor of the passage of said bill with amendments.

The President announced the question to be on agreeing to the report of the committee on said bill.

Mr. Pierce moved to strike out the amendment made in committee of the whole, as follows: "No bishop, priest, ecclesiastic or person set apart to the cure of souls, shall be created a corporation sole under this act; nor shall any corporation aggregate be formed under this act, unless at least two thirds of the members thereof shall consist of persons other than bishops, priests, or ecclesiastics."

Mr. Cooley moved to lay the whole subject on the table, and that said bill and amendment made thereto be printed.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Kirby	Otis	Vanderbilt
Bartlett	Clark	Morgan	Platt	Ward
Beekman	Cooley	Newcomb		

13

FOR THE NEGATIVE.

Bristol	Pierce	Rogers	VanSchoonhoven	Wright
Jones				

6

The President announced the order of business to be the reports of select committees.

Mr. Beekman, from the select committee, to which was referred the bill entitled "An act to amend an act entitled 'An act to regulate the compensation of the assessors of the street department of the city of New-York,' passed July 9, 1851," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

The President announced the special order, it being the consideration of the bill in relation to the Pennsylvania coal company and National mining company.

Mr. Babcock moved to lay the same upon the table, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Newcomb	Snow
Beekman	Cornell	McElwain	Otis	Vanderbilt
Bennett	Davenport	Morgan	Pierce	Ward
Bristol	Jones	Munroe	Platt	Williams
Clark				

21

FOR THE NEGATIVE.

Bartlett	Cooley	Wright
----------	--------	--------

3

A message from the Assembly was received and read, informing that Messrs. Taylor, Jackson, Sessions, Temple and Noble, were a select committee on the part of the Assembly, to confer with a committee of the Senate, in regard to fixing a time for the acceptance of the invitation of the New-York and Erie railroad company.

The President presented a communication from the Young Men's Association of Albany, inviting the officers and members of the Senate of the State of New-York, to participate with them in the approaching anniversary of American Independence.

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered, the following entitled bill:

"An act to vest in the United States of America, jurisdiction over certain lands in the city of Brooklyn and adjacent thereto."

Said amendments having been read,

The President put the question whether the Senate would agree

to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Newcomb	Rogers
Bartlett	Cooley	Kirby	Otis	Snow
Beckman	Cornell	McElwain	Pierce	Williams
Bristol	Davenport	Morgan	Platt	Wright
Clark	Huntington	Munroe		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the said amendments.

The bill entitled "An act relative to the Albany savings bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Pierce	Vanderbilt
Bartlett	Huntington	Morgan	Platt	Ward
Beckman	Jones	Newcomb	Rogers	Williams
Bristol	Kirby	Otis	Snow	Wright
Cooley				

21

FOR THE NEGATIVE.

Conger

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act relative to savings banks or institutions for savings in the city and county of New-York and the county of Kings,' passed April 15, 1853," was read a third time.

By unanimous consent,

Said bill was amended, by adding to the end of the first section, the following: "and nothing in said act shall prevent the savings banks in the county of Kings, from loaning their funds on, or investing said funds in bonds of said county of Kings."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	McElwain	Otis	Snow	Ward
Cooley	Morgan	Platt	Upham	Williams
Huntington	Munroe	Rogers	Vanderbilt	Wright
Kirby	Newcomb	Smith		

18

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

Mr. Van Schoonhoven called for consideration of the questions pending on the third reading of the bill entitled "An act authorising the Canal Commissioners to construct a bridge across the Mohawk river, at Cohoes," when the same was up on the 8th inst.

The President announced the question to be on Mr. Cornell's motion to amend Mr. Conger's motion to recommit said bill, with instructions to strike out the enacting clause.

Mr. Cornell then withdrew his said amendment.

The President put the question whether the Senate would agree to the said motion of Mr. Conger, and it was decided in the negative.

Debate was had thereon, when

The hour of a quarter to two o'clock, p. m., having arrived, Mr. Otis moved that the recess be postponed for five minutes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Morgan	Platt	Upham
Backman	Houliagton	Newcomb	Rogers	VanSchoonhoven
Bennett	Kirby	Otis	Smith	Ward
Clark	McElwain	Pierce	Snow	Wright
Codley				21

FOR THE NEGATIVE.

Conger	Jones	2
--------	-------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Upham, from the select committee, to which was referred the Assembly bill entitled "An act to provide for building a bridge across the Tonawanda creek, at or near where the road commonly called the Bear Ridge road, intersects the road along the northerly side of said creek," with power to report complete, so reported, and said bill was ordered to a third reading.

At ten minutes to two o'clock, p. m., the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Otis asked and obtained leave to introduce a bill, entitled "An act to amend an act passed April 12, 1853, authorising the Dutchess turnpike company to MacAdamize all or some portions of their road, and for other purposes," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Otis	Smith	
Bartlett	Davenport	Morgan	Pierce	Snow	
Beckman	Huntington	Munroe	Platt	Williams	
Clark	Jones	Newcomb	Rogers	Wright	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. Conger asked and obtained leave to introduce a bill entitled "An act to facilitate the service of process in certain cases," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

By unanimous consent,

Mr. Pierce offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the bill for the speedy trial of a certain suit against the State, be referred to the committee on the judiciary, to report complete.

Mr. Wright moved to lay the same on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

By unanimous consent,

Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to authorise the Grocers' steam sugar refining company of New-York, to borrow money," which was read the first

time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee of New-York Senators, to report complete.

By unanimous consent,

Mr. Beekman asked for and obtained leave to introduce a bill entitled "An act to enable the children of Thomas H. Newbold, and Mary E. his, wife, to take and hold real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on judiciary.

The Assembly bill entitled "An act authorising the Richmondville and Summit plank road company to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Morgan	Platt	Snow
Beekman	Jones	Munroe	Rogers	Ward
Bennett	Kirby	Newcomb	Smith	Wright
Clark	McElwain	Otis		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to make a road district of the village of Gallupsville, passed March, 1833," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Morgan	Pierce	Snow
Beekman	Huntington	Munroe	Platt	Ward
Bennett	Jones	Newcomb	Rogers	Williams
Clark	McElwain	Otis	Smith	Wright

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to amend the law relative to insurance companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Pierce	Snow
Bartlett	Davenport	Munroe	Platt	VanSchoonhoven
Beach	Huntington	Newcomb	Rogers	Ward
Beckman	Jones	Otis	Smith	Williams
Bristol				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize Levi S. Backus to distribute one hundred and fifty copies of a newspaper called the Radii, to educated deaf mutes, and to provide compensation for the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Newcomb	Smith
Bartlett	Clark	McElwain	Otis	Snow
Beach	Davenport	Morgan	Platt	Ward
Beckman	Huntington	Munroe	Rogers	Wright
Bennett	Jones			22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act making the village of Malone a highway district, and authorising said village to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Newcomb	Smith
Bartlett	Davenport	McElwain	Otis	Snow
Beach	Huntington	Morgan	Platt	Ward
Beckman	Jones	Munroe	Rogers	Wright
Bennett				23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to make the records of deeds of the town of Kingston, county records," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Newcomb	Smith
Bartlett	Conger	McElwain	Pierce	Ward
Bennett	Davenport	Morgan	Platt	Williams
Bristol	Jones	Munroe	Rogers	Wright
				24

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Zalmon J. McMaster and Jacob T. Merrill," was read a third time, when

Mr. Conger moved to recommit to the judiciary committee with instructions to bring in a bill directing the Attorney General to prosecute the appeal, taken in the pleadings referred to in the bill, before the court of the highest record.

Debate was had thereon, when

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Otis	Platt
Bartlett	Kirby	Newcomb	Pierce	Smith
Beckman				

11

FOR THE NEGATIVE.

Beach	Bristol	Davenport	Rogers	Williams
Bennett	Clark	McElwain	Ward	Wright

10

The Assembly bill entitled "An act to divide the nineteenth ward of the city of New-York, into two wards," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Otis	Snow
Bartlett	Conger	McElwain	Platt	Williams
Beckman	Davenport	Morgan	Rogers	Wright
Bristol	Jones	Newcomb	Smith	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	McElwain	Otis	Rogers
Beach	Clark	Morgan	Pierce	Snow
Beckman	Conger	Newcomb	Platt	Williams
Bennett	Kirby			

17

FOR THE NEGATIVE.

Babcock	Jones	Munroe	Smith	Wright
Davenport				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Clark, and by unanimous consent

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to provide for the building of a draw-bridge across Conjoacketies creek in the town of Black rock, in the county of Erie, and for other purposes;" and that the same be referred back to the committee on roads and bridges with power to report the same complete.

The bill entitled "An act to amend an act for the incorporation of building, mutual loan and accumulating fund associations, passed April 10, 1851," was read a third time, when

Mr. Conger moved to recommit with instructions to amend the first section by inserting the word "repealed," in the place of the word "amended" and striking out the residue of the bill, and called for the ayes and noes.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol	Davenport	Jones	Newcomb	Williams	
Conger					4

FOR THE NEGATIVE.

Beckman	Hastington	Morgan	Rogers	Snow	
Beauregard	Kirby	Otis	Smith	Wright	
Clark	McElwain	Pierce			13

Mr. Davenport moved to adjourn and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Habcock	Bennett	Conger	Jones	Manroe	
Bartlett	Bristol	Davenport	Morgan	Newcomb	
Beckman					11

FOR THE NEGATIVE.

Clark	McElwain	Pierce	Smith	Williams	
Kirby	Otis	Rogers	Snow	Wright	20

The Senate adjourned to ten o'clock, a. m., to-morrow.

FRIDAY, JUNE 17, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Noethan.

The Journal of yesterday was read and approved.

Mr. Morgan presented a petition from J. W. Webb, and other

citizens of the city of New-York, for a central park, which was referred to the select committee.

Mr. Morgan presented the preamble and resolutions of the common council of New-York city against Jones' Woods, and in favor of a central park, which was referred to the select committee.

Mr. Clark, from the committee on roads and bridges, to which was referred the bill entitled "An act to provide for building a drawbridge across Conjoacketies creek, in the town of Black Rock, in the county of Erie," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Vanderbilt, from the committee on judiciary, to which was referred the Assembly bill entitled "An act to confirm the title of David Russell to land in Essex county," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Vanderbilt, from the committee on judiciary, to which was referred the Assembly bill entitled "An act to amend an act authorising the election of a police justice in the village of Poughkeepsie, passed March 10, 1849," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Ward, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorise the town of Sterling, in the county of Cayuga, to borrow money and to tax the town for the payment of the same, passed June 23, 1851,'" reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

On motion of Mr. Platt, and by unanimous consent,

Resolved, That the Assembly bill, now in committee of the whole, entitled "An act to amend an act to incorporate the Western New-York agricultural live stock company," passed April 15, 1852, be ordered to a third reading.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act for the relief of the Free Will Baptist Church, and society of the town of Fabius, Onondaga county," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorise the Baptist Union for ministerial education, to increase the number of their trustees," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Bennett, from the committee on roads and bridges, to

which was referred the Assembly bill entitled "An act to amend an act to incorporate the Montezuma turnpike and bridge company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

By unanimous consent,

Mr. Beach asked for and obtained leave to introduce a bill entitled "An act to amend the charter of the Auburn Female University," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on literature to report complete.

By unanimous consent,

Mr. Morgan asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Montgomery mining company," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary to report complete.

By unanimous consent,

Mr. Morgan asked for and obtained leave to introduce a bill entitled "An act to authorize the founding of a garden in the city of New-York, for horticultural purposes," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a committee of New-York Senators to report complete.

Mr. Babcock moved to lay the present order of business on the table, viz, notices and introduction of bills.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to said motion, and the vote was as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Pierce	Snow
Beekman	Davenport	McElwain	Platt	Vanderbilt
Cooley	Jones	Otis		

13

FOR THE NEGATIVE.

Beach	Conger	Monroe	Smith	Wallace
Bristol	Huntington	Newcomb	Ward	Wright
Clark	Morgan	Rogers		

13

There being a tie the President gave the casting vote in the affirmative.

The President announced the order of third reading of bills.

Mr. Babcock moved to lay the same on the table.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	Jones	McElwain	Platt	
Cooley	Davenport	Kirby	Otis	Vanderbilt	10

FOR THE NEGATIVE.

Beach	Conger	Munroe	Rogers	Ward	
Bennett	Huntington	Newcomb	Smith	Williams	
Bristol	Morgan	Pierce	Snow	Wright	
Clark					16

The President then announced the special order being the consideration of general orders.

Mr. Pierce moved that the Senate go into committee of the whole on the several bills making appropriations for the payment of the canal revenue certificates, expenses of canals, &c.

Debate was had thereon, when

Mr. Babcock moved to lay said special order on the table for the purpose of considering the Catholic bill.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Pierce	Taber	
Bartlett	Conger	Kirby	Rogers	Vanderbilt	
Bennett	Cooley	McElwain	Smith	Wright	
Bristol	Huntington	Otis	Snow		19

FOR THE NEGATIVE.

Cornell	Davenport	Platt		3
---------	-----------	-------	--	---

The President announced the question to be on the motion of Mr. Pierce to amend the report of the committee of the whole on the bill entitled "An act to authorise the incorporation of Roman Catholic congregations or societies, by striking out the amendment adopted in the committee of the whole, on the motion of Mr. Babcock.

Debate was had thereon, when

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the motion of Mr. Pierce, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bennett	Cooley	Smith	Taber	VanSchoonhoven	
Bristol	Pierce	Snow	Vanderbilt	Wright	
Conger	Rogers				12

FOR THE NEGATIVE.

Babcock	Beckman	Jones	Newcomb	Ward	
Bartlett	Clark	McElwain			8

Mr. Taber then moved to amend said report, as follows: after "Catholic" in third line, add "or any Protestant," and add same words after the word "Catholic" at the end of the line. Erase the word "Protestant," and insert "Dutch Reformed" in the 11th line.

Mr. Conger moved to amend by striking out the words "Roman Catholic" and the words "Protestant," wherever they occur in said bill.

Debate was had thereon, when

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Cornell	Jones	McElwain	8
Clark					

FOR THE NEGATIVE.

Peach	Otis	Smith	Vanderhilt	Ward	
Beckman	Pierce	Snow	Van Schoonhoven	Wright	15
Cooley	Rogers	Taber			

The President announced the question to be on the amendment offered by Mr. Taber.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bennett	Orle	Rogers	Snow	Van Schoonhoven	
Conger	Pierce	Smith	Taber	Wright	14
Cooley					

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Newcomb	Ward	8
Beckman	Jones	Munroe			

Mr. Babcock moved the following amendment to the report of the committee of the whole on said bill: "It shall not be lawful for any bishop, priest, or ecclesiastic, to be a trustee of more than one church or religious society at the same time; but this act shall not be construed to prevent any such person from being a trustee or manager of any charitable or educational society or institution."

Debate was had thereon, when

At a quarter to two o'clock, p. m., the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

On motion of Mr. Beach, and by unanimous consent,

Resolved, That the bill entitled "An act to amend the charter of the Montezuma turnpike and bridge company," be ordered to a third reading.

On motion of Mr. Beach, and by unanimous consent,

Resolved, That the bill authorising the town of Sterling to change the time of paying interest on its bonds, be ordered to a third reading.

The President announced the question before the Senate to be on the amendment offered by Mr. Babcock, to the report of the committee of the whole on the bill entitled "An act to authorise the incorporation of Roman Catholic congregations or societies."

Debate was had thereon, when

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Beckman	Cooley	McElwain	Newcomb	
Bartlett	Clark	Jones	Morgan	Ward	20

FOR THE NEGATIVE.

Bristol	Pierce	Smith	Taber	VanSchoonhoven	
Conger	Rogers	Snow	Vanderbilt	Wright	11
Quinn					

Mr. Babcock then moved the following amendment, to be added to the first section: "but nothing in this act contained, shall be construed to divest any trustee, or board of trustees now existing under any law of this State, of the title or control of any of the temporalities of any Roman catholic or protestant church, congregation or society now existing, except by the vote of a majority of the male members above twenty-one years of age, of such church, congregation or society, given at a public meeting called to consider such question, in the manner that notices for the election of trustees is required to be given by the third section of the above mentioned act."

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Pierce	Taber	
Bartlett	Conger	Morgan	Rogers	Vanderbilt	
Beach	Cooley	Newcomb	Smith	VanSchoonhoven	
Beckman	Jones	Quinn	Snow	Wright	
Bennett					21

Mr. Conger moved to amend; by striking out the word "may," and inserting the words "shall, if not already incorporated, become."

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Conger

FOR THE NEGATIVE.

Babcock	McElwain	Orin	Smith	Vanderbilt
Beckman	Morgan	Pierce	Snow	Van Schoonhoven
Bristol	Newcomb	Rogers	Taber	Wright
Cooley				

16

Mr. Babcock moved to amend, as follows: "The trustee or trustees designated to represent any congregation or society in holding and managing the temporalities thereof, shall be elected by the members of such congregation or society, in like manner, and hold the office for the same time and by the same tenure that are prescribed in section three, of the above mentioned act."

Debate was had thereon, when

Mr. Cooley moved that the Senate do now adjourn.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beckman	Cooley	Jones	Morgan
---------	--------	-------	--------

4

FOR THE NEGATIVE.

Babcock	Conger	Rogers	Taber	Williams
Bartlett	McElwain	Smith	Vanderbilt	Wright
Bristol	Pierce	Snow	Van Schoonhoven	

24

Mr. Conger moved to amend, by striking out the word "elected," and inserting the words "confirmed in such representation."

Mr. Babcock accepted of said amendment.

The President announced the question to be on Mr. Babcock's amendment as amended.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Beckman	Cornell	McElwain	Williams
Bartlett	Conger	Jones	Newcomb	

9

FOR THE NEGATIVE.

Beach	Davenport	Rogers	Taber	Van Schoonhoven
Bartlett	Orin	Smith	Vanderbilt	Wright
Cooley	Pierce	Snow		

25

Mr. Conger moved to amend said report, by adding to the first section the words "convention or Assembly," after the words "congregation or society," wherever they occur.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President announced the question to be on agreeing to the report of the committee of the whole on said bill, as amended.

Mr. Beekman called for the ayes and noes.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bristol	Pierce	Smith	Taber	VanSchoonhoven
Conger	Rogers	Snow	Vanderbilt	Wright 10

FOR THE NEGATIVE.

Babcock	Beekman	McElwain	Newcomb	Williams
Bartlett	Jones			7

By unanimous consent,

Mr. Wright offered for the consideration of the Senate, a resolution in the words following, to wit :

Resolved; That when the Senate adjourns, it adjourn over to Monday next, at twelve o'clock, m.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Bristol	Newcomb	Smith	VanSchoonhoven
Beekman	Davenport	Rogers	Snow	Wright 12
Bennett	McElwain			

FOR THE NEGATIVE.

Babcock	Conger	Jones	Taber	Williams
Bartlett	Cornell	Otis	Vanderbilt	9

On motion of Mr. Bristol,

The Senate adjourned to twelve o'clock, m. Monday.

MONDAY, JUNE 20, 1853.

The Senate met pursuant to adjournment.

No clergyman present.

The Journal of Friday was read and approved.

The President directed the roll to be called, when the following Senators answered to their names :

Babcock	Bristol	Jones	Otis	Vanderbilt
Bartlett	Conger	Kirby	Snow	VanSchoonhoven
Bennett	Huntington	Morgan	Taber	Williams 18

There being no quorum present,

Mr. Van Schoonhoven moved that the Senate do now adjourn.

Mr. Snow called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Taber	VanSchoonhoven
Bristol	Huntington	Morgan	Vanderbilt	9

FOR THE NEGATIVE.

Bartlett	Conger	Otis	Snow	Williams
Bennett	Jones			7

The Senate then adjourned to ten o'clock, a. m. to-morrow.

TUESDAY, JUNE 21, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Huntington presented the petition of citizens of Higginsville, Oneida county, for a law authorising the construction of a bridge over the canal at that place, which was referred to the committee on canals.

Mr. Beekman presented the petition of Wm. Chauncey, and a large number of other citizens of the city of New-York, for a law establishing Jones' Woods park, which was referred to the select committee.

Mr. Otis presented the petition of citizens of the village of Pine Plains, Dutchess co., for a law to protect Evergreen cemetery in said village, which was referred to the committee on the internal affairs of towns and counties.

Mr. Cooley presented four several petitions of citizens of New-York city, for a law creating a board of commissioners with power to fix and determine the water line of the harbor of New-York, and for the better and more effectual protection to navigation, which were referred to the committee on commerce and navigation.

Mr. Cooley presented the memorial of the presidents and vice presidents of all the Marine insurance companies in said city, on the same subject, which was referred to the committee on commerce and navigation.

Mr. Morgan presented three several petitions of citizens of New-York city, also the petition of Jacob A. Westervelt, mayor of said city, also the petition of Russel Sturges and Robert Taylor, pilot commissioners, also the petition of F. R. Tillou, recorder of New-York city, on the same subject, which were referred to the committee on commerce and navigation.

Mr. Morgan presented three several remonstrances of citizens of New-York city, against establishing Jones' Woods park, which were referred to the select committee.

Mr. Beekman presented four several petitions of citizens of New-York city, for a law creating a board of commissioners, with power to fix and determine the water line of the harbor of New-York, for the better and more effectual protection to navigation, which were referred to the committee on commerce and navigation.

Mr. Beekman presented the memorial of Joseph Tinkham and Wm. Thompson, marine surveyors of the port of New York, on the same subject, which was referred to the committee on commerce and navigation.

Mr. Conger presented the remonstrance of trustees of the Auburn female seminary, against an amendment of the charter of said university, which was referred to the committee on literature.

Mr. Williams presented the memorial of W. J. Tozer and A. J. Latham, for a law to prevent abuses in the manufacture and sale of salt, which was referred to the committee on finance.

Mr. Beekman, from a majority of the select committee, consisting of Senators from the 1st, 5th and 17th districts, to which were referred numerous petitions, remonstrances, &c., in relation to Jones' Woods and Central parks in the city of New-York, reported in favor of the passage of the Assembly bill entitled "An act relative to the purchase, possession and laying out of certain lands for a public park in the city of New-York, and the powers and duties of the mayor, aldermen and commonalty relative thereto," complete.

Mr. Cooley moved to lay said report on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Morgan, from the select committee, to which was referred the bill entitled "An act to authorise the Grocers' steam sugar refining company of New-York, to borrow money," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Morgan, from the select committee, to which was referred the bill entitled "An act to authorise the founding of a garden in the city of New-York, for horticultural purposes," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bill, to wit:

"An act to provide for the incorporation of Life and Health insurance companies, and in relation to agencies of such companies."

Ordered, That the Clerk return said bill to the Assembly,

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill:

"An act to authorise a part of the records of the county of Genesee, to be transcribed and deposited in the clerk's office of the county of Orleans."

Ordered, That the Clerk deliver said bill to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act for the incorporation of villages, passed December 7, 1847, so far as it relates to the village of Niagara Falls, Niagara co.," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to release the Cedarville and Schuyler's lake plank road company from the construction of a part of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Joseph L. Snow and Hiram Carpenter, for fees and perquisites accruing to them as loan commissioners, in the county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the Farmers' Insurance company of Oneida co.," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on banks and insurance companies, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Henry Jordan, an Indian of the Oneida tribe, for services as interpreter and agent for said Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the Williamsburgh and Cyprus Hill plank road company, and to increase their capital," which was read the first time, and unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of Loring Brewster to William L. Brewster," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to provide for rebuilding a bridge across the Canandaigua outlet at the village of Manchester, in the town of Manchester, county of Ontario, and for raising money for that purpose by tax upon said town," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Benjamin F. Green," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act authorising the electors of the town of Ellisburgh, in the county of Jefferson, to hold a special town meeting, and elect a justice of the peace in addition to the four already provided for, and to allow the said electors thereafter at their annual town meetings, to elect five instead of four justices of the peace for said town," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to facilitate the laying out, altering or discontinuing highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the completion of the tax roll when it shall have been omitted at the annual meeting of the board of supervisors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

On motion of Mr. Bennett, and by unanimous consent,

Resolved, That the bill to amend the act passed April 1853, relative to plank road tolls, be referred to the committee on roads and bridges, with power to report complete.

On motion of Mr. Cornell, and by unanimous consent,

Resolved, That the bill entitled "An act to provide for the incorporation of fire and marine insurance companies, be taken from the committee of the whole, and ordered to third reading.

By unanimous consent,

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize a more speedy trial and termination of a certain suit pending against the people of this State and others," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to facilitate the service of process in certain cases," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Bristol asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Binghamton, passed April 12, 1853,'" which was read the first time and by unanimous consent was also read the second time.

By unanimous consent,

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Pierce	Vanderbilt
Hartlett	Cooley	McElwain	Platt	Ward
Bennett	Davenport	Morgan	Snow	Williams
Bristol	Huntington	Otis	Upham	Wright
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Monroe gave notice that he would, at an early day, ask leave to introduce a bill for the construction of a bridge across the Niagara river at or near the village of Niagara Falls, above the Falls.

By unanimous consent,

Mr. Otis asked for and obtained leave to introduce a bill entitled "An act for the preservation of Evergreen Cemetery, in the village of Pine Plains, Dutchess county," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on internal affairs of towns and counties, to report complete.

By unanimous consent,

Mr. Morgan asked for and obtained leave to introduce a bill entitled "An act relative to the powers and duties of the mayor, aldermen, and commonalty of the city of New-York, in the mat-

ter of taking possession of and laying out certain lands for a public park in the said city," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to amend the act entitled 'An act to regulate the compensation of the assessors of the street department of the city of New-York,' passed July 9, 1851."

"An act to confirm the title of David Russell to certain lands in Essex county, and to release the right, title and interest of the people of this State therein," which said last entitled bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Dabcock	Conger	Kirby	Newcomb	Upham
Bartlett	Cooley	McElwain	Oris	Vanderbilt
Peckman	Cornell	Morgan	Platt	Williams
Bennett	Huntington	Munroe	Snow	Wright
Bristol	Jones			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bill:

"An act for the relief the New Berlin and Brookfield plank road company," which was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Morgan	Rogers	Vanderbilt
Beckman	Jones	Newcomb	Snow	Ward
Bennett	Kirby	Oris	Upham	Wright
Clark	McElwain	Platt		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed, the following entitled bill:

"An act to authorize the erection of a toll gate between the village of Elbridge and Skaneateles junction" which was read a third time.

The President put the question whether the Senate would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Rogers
Bartlett	Cornell	Kirby	Newcomb	Upham
Beckman	Davenport	McElwain	Oris	Ward
Bennett	Huntington	Morgan	Platt	Wright
Eristol				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act relating to debts contracted by women before marriage," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Munroe	Platt	Upham
Beckman	Huntington	Newcomb	Rogers	Vanderbilt
Bennett	Kirby	Pierce	Snow	Ward
Bristol	McElwain			

17

FOR THE NEGATIVE.

Wright

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr Snow moved to take from the table the motion for the reconsideration of the vote heretofore had on the final reading of the bill entitled "An act to provide for the appraisement of canal damages of Thomas Countryman."

The President put the question whether the Senate would agree to the said motion and it was decided in the affirmative.

The President put the question whether the Senate would agree to the reconsideration of said vote, and it was decided in the affirmative.

By unanimous consent,

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beckman	Huntington	Newcomb	Rogers	Ward
Bennett	Jones	Oris	Snow	Williams
Clark	Kirby	Pierce		

13

FOR THE NEGATIVE.

Babcock	McElwain	Upham	Vanderbilt	Wright
Conger	Platt			

7

The bill entitled "An act to provide for the building of a drawbridge across Connetquot creek, in the town of Black Rock in the county of Erie, was read a third time, and by unanimous consent was amended by inserting after the word "commissioners" in the third line of the first section of said bill, as follows, "under the direction of the board of supervisors of Erie county," and striking out the fifth section of said bill.

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	Snow
Bennett	Davenport	McElwain	Platt	Upham
Bristol	Huntington	Munroe	Rogers	Ward
Clark	Jones	Newcomb	Smith	Wright
Conger				

21

FOR THE NEGATIVE.

Beach	Beekman	Vanderbilt
-------	---------	------------

3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act to regulate the compensation of the assessors of the street department of the city of New-York, passed July 9th, 1851,' was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Platt	Upham
Partlett	Cornell	Munroe	Rogers	Vanderbilt
Beekman	Huntington	Newcomb	Smith	Ward
Bennett	Jones	Otis	Snow	Wright
Bristol	Kirby	Pierce		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act for the incorporation of building, mutual loan, and accumulating fund associations," passed April 10, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	McElwain	Smith	Upham
Beckman	Huntington	Otis	Snow	Ward
Bennett	Jones	Rogers	Taber	Wright
Bristol	Kirby			

17

FOR THE NEGATIVE.

Cornell Davisport

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The hour of twelve o'clock, m., having arrived, the President announced the special order, it being executive session.

And after some time spent therein, the Senate again resumed legislative business.

By unanimous consent,

Mr. Upham presented two petitions of citizens of Niagara co., for a law incorporating joint stock companies for constructing the Niagara ship canal, which were referred to the committee on canals.

By unanimous consent,

Mr. Taber presented two petitions of citizens of Albany, on the same subject, which were referred to the committee on canals.

By unanimous consent,

Mr. Van Schoonhoven presented the petition of citizens of Troy, on the same subject, which was referred to the committee on canals.

By unanimous consent,

Mr. Bartlett presented the petition of citizens of Schenectady, on the same subject, which was referred to the committee on canals.

By unanimous consent,

Mr. Kirby presented three petitions of citizens of Rochester on the same subject, which were referred to the committee on canals.

By unanimous consent,

Mr. Clark presented the petition of citizens of Ontario co., on the same subject, which was referred to the committee on canals.

At a quarter to two o'clock, p. m. the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Rogers offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the Assembly bill making appropriations for the several State prisons, be made the special order for to-morrow, at eleven o'clock, a. m.

Mr. Conger moved to amend, by making the supply bill and the bill regulating the salary of persons in the employ of the State, the special order at the same time.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Beekman moved to further amend, by making the Pennsylvania coal company bill, a special order at the same time.

Debate was had thereon, when

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Munroe	Platt	Vanderbilt	
Beekman	Cooley	Newcomb	Taber	Ward	
Clark	Morgan	Otis	Upham		14

FOR THE NEGATIVE.

Bennett	Huntington	Pierce	Smith	VanSchoenhoven	
Bristol	Jones	Rogers	Snow	Wright	
Cornell					11

Mr. Wright moved further to amend, by adding all the bills on the general orders, and that they be taken up respectively as they stand upon said orders, and called for the ayes and noes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Cooley	Jones	Smith	Ward	
Bennett	Cornell	Kirby	Snow	Williams	
Bristol	Huntington	Pierce	VanSchoenhoven	Wright	15

FOR THE NEGATIVE.

Babcock	Conger	Newcomb	Platt	Taber	
Bartlett	Morgan	Otis	Rogers	Vanderbilt	
Clark	Munroe				12

Mr. Babcock moved to lay the whole subject on the table.

Mr. Ward called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Platt	VanSchoenhoven	
Bartlett	Cooley	Munroe	Smith	Ward	
Beekman	Huntington	Newcomb	Snow	Williams	
Bristol	Jones	Otis	Vanderbilt	Wright	
Clark	Kirby				22

FOR THE NEGATIVE.

Bennett.

1

By unanimous consent,

Mr. Van Schoonhoven presented the petition of commissioners of highways of the town of Greenbush, Rensselaer county, for a law to provide for repairing a highway in Greenbush, at an expense of \$3,000, which was referred to the committee on roads and bridges.

By unanimous consent,

Mr. Rogers asked for and obtained leave to introduce a bill entitled "An act for the preservation of fish in the waters of Lake George," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to repeal an act entitled 'An act in relation to the enlargement of the Erie and Oswego canals, and the completion of the Black river and Genesee Valley canals,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on literature, to report complete.

The Assembly bill entitled "An act providing for the taxation of the property of the Union railroad company in Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Coager	Kirby	Otis	Taher
Bartlett	Cooley	McKwain	Pierce	Vanderbilt
Beekman	Davenport	Morgan	Platt	VanSchoonhoven
Bennett	Huntington	Munroe	Rogers	Ward
Bristol	Jones	Newcomb	Smith	Wright
Clerk				

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Vanderbilt moved to lay the present order of business (the third reading of bills,) on the table.

Mr. Ward called for the ayes and noes.

The President put the question whether the Senate would agree

to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Newcomb	Snow
Beekman	Cooley	Morgan	Otis	Vanderbilt
Bennett	Kirby	Munroe	Platt	VanSchoonhoven

15

FOR THE NEGATIVE.

Bartlett	Cornell	Jones	Rogers	Ward
Briggs	Davenport	Pierce	Smith	Wright
Conger	Huntington			

13

Mr. Vanderbilt offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the Senate do now go into a committee of the whole on the bill entitled "An act relative to the Auditor of the Canal Department, and to make that officer elective by the people."

Mr. Davenport moved to amend, as follows: "*Resolved*, That the Senate go into a committee of the whole on the Assembly bill, No. 377, for the improvement of Moose river and Swamp creek, at the same time.

Mr. Conger moved to amend, by making the supply bill and the bill making provision for salaries of certain officers, a special order at the same time.

Mr. Vanderbilt called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	Kirby	Pierce	Williams
Conger	Huntington	McElwain	Rogers	Wright
Corpell	Jones	Otis	Smith	

14

FOR THE NEGATIVE.

Bristol	Newcomb	Vanderbilt	VanSchoonhoven	Ward
Munroe	Snow			

7

Mr. Wright moved to further amend by making all the bills on general orders the special order at the same time, and that the same be taken up in their order.

Mr. Vanderbilt called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Davenport	Snow	Wright
Bristol	Cornell	Pierce	Ward	

9

FOR THE NEGATIVE.

Babcock	Jones	Newcomb	Rogers	Vanderbilt
Beekman	McElwain	Otis	Smith	VanSchoonhoven
Clark	Morgan	Platt	Tobey	Williams
Cooley	Munroe			

1

Mr. Van Schoonhoven moved to lay the whole subject on the table.

Mr. Vanderbilt called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Munroe	Snow	Ward
Beckman	Cornell	Otis	Van Schoonhoven	Wright
Conger	Jones	Pierce		

13

FOR THE NEGATIVE.

Babcock	Davenport	McElwain	Platt	Tabor
Bristol	Huntington	Morgan	Rogers	Vanderbilt
Clark	Kirby	Newcomb	Smith	Williams

14

Mr. Cornell moved a reconsideration of the vote just taken, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Barnett	Cornell	Van Schoonhoven	Ward	Wright
Bennett	Davenport			

7

FOR THE NEGATIVE.

Babcock	Huntington	McElwain	Otis	Tabor
Bristol	Jones	Morgan	Platt	Vanderbilt
Clark	Kirby	Newcomb	Rogers	Williams
Cooley				

16

Mr. Cornell moved to further amend the said resolution of Mr. Vanderbilt, by making the tax and toll bill, and the substitute for the same as offered by Mr. Vanderbilt the special order at the same time, and that said bills be first taken up by the committee of the whole.

Mr. Otis moved that the Senate do now adjourn.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Pierce	Van Schoonhoven
Bartlett	Cornell	McElwain	Platt	Ward
Beckman	Davenport	Morgan	Snow	Wright
Bennett	Jones	Otis		

18

FOR THE NEGATIVE.

Bristol	Huntington	Rogers	Tabor	Williams
Cooley	Munroe	Smith	Vanderbilt	

9

The Senate adjourned to ten o'clock, a. m., to-morrow.

WEDNESDAY, JUNE 22, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Kennedy.

The journal of yesterday was read and approved.

Mr. Vanderbilt presented a petition from Edmund Blunt for an act allowing life insurance companies to make certain statements, which was referred to the committee on judiciary, with power to print.

Mr. Platt, presented five petitions from the citizens of the city of Oswego, in favor of the construction of the Niagara Falls ship canal, which was referred to the committee on canals.

Mr. Upham presented a petition from 186 citizens of Niagara county in favor of the construction of the Niagara Falls ship canal, which was referred to the committee on canals.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Mongaup, Forestburgh and Port Jervis plank road company to borrow money to complete their road," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Cooley, from the minority of the select committee, to which was referred petitions, and remonstrances, in relation to Jones' woods and central park, in the city of New-York, reported in favor of the passage of the following entitled bill:

"An act relative to the powers and duties of the mayor, aldermen, and commonalty of the city of New-York, in the matter of taking possession of and laying out certain lands for a public park in said city."

Mr. Morgan moved that 10,000 extra copies of said report, together with a like number of the report made yesterday by Mr. Beekman, from a majority of said committee, be printed, and that the vote thereon be taken without reference to the printing committee.

Debate was had thereon, when

Mr. Morgan modified his motion so that there be ordered thirty extra copies of said report to each of the members of the Legislature.

Debate was further had thereon, when

Mr. Conger moved to amend by ordering ten extra copies of said report to each of the members of the Legislature.

Debate was still further had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Conger

Jones

McElwain

3

FOR THE NEGATIVE.

Babcock	Bristol	Newcomb	Smith	VanSchoonhoven
Bartlett	Cooley	Otis	Snow	Ward
Beach	Huntington	Platt	Upham	Williams
Beckman	Morgan			

17

The President announced the question to be on the motion of Mr. Morgan to print thirty extra copies.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	McElwain	Platt	Upham
Beach	Cooley	Morgan	Rogers	VanSchoonhoven
Beckman	Huntington	Newcomb	Snow	Williams
Bristol	Kirby	Otis	Taber	

19

FOR THE NEGATIVE.

Babcock	Cornell	Jones	Smith	Ward
Conger	Davenport	Pierce		

8

The President announced the question before the Senate to be on agreeing to the report of a majority of the select committee on the Assembly bill entitled "An act relative to the purchase, possession and laying out of certain lands for a public park in the city of New-York, and the powers and duties of the mayor, aldermen and commonalty relative thereto."

Mr. Cooley moved to lay the same on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

A message from the Governor was received and read, in the words following, to wit :

EXECUTIVE CHAMBER, }
Albany, June 22, 1852. }

To the Hon. Sanford E. Church,

President of the Senate:

I herewith transmit to the Senate, a memorial of the chamber of commerce of the city of New-York, relative to the encroachments upon the harbor of New-York; also a copy of a letter of Major Delafield, of United States corps of Engineers, addressed to Walter R. Jones, Esq., president of the board of underwriters upon the same subject, which I have been requested to lay before the Legislature. A letter from Walter R. Jones, Esq., accompanies the documents.

HORATIO SEYMOUR.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate to the following entitled bill:

"An act to divide the nineteenth ward of the city of New-York into two wards."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill:

"An act to authorise any railroad company in this State to subscribe to the stock of the Attica and Allegany Valley railroad company."

"An act to amend an act passed April 12, 1853, authorising the Dutchess turnpike company to McAdamize all or some portions of their road, and for other purposes."

"An act to change the name of the American oil company."

Ordered, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the Superior court and to the court of Common Pleas and the Marine court for the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Utica,' passed March 31, 1852," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to provide for draining the swamp lands along the streams known as Bear trap and Mud creeks in the town of Salina," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act authorising the election of a street commissioner in the village of Hornellsville, and for other purposes," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the construction of the plank road in the town of Carroll, in the county of Chautauque, and to incorporate the Frewsburch plank road company," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Herman plank road company to construct two toll gates upon their road, within three miles of each other,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act to authorise a loan to the county of Orleans, for the purpose of building a bridge across Oak Orchard creek, in the town of Carlton, in the county of Orleans," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the official acts of James Creighton, a justice of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorise any town in the counties of Wyoming and Cattaraugus, to subscribe for the stock of the Attica and Allegany Valley railroad company, and to issue bonds of said towns to said company, in payment for the same," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Pierce called for the consideration of the special order, it being the bills in relation to canal revenue certificates, and the Oswego loan, appropriating moneys to pay canal debts, &c., and making provision for the enlargement and completion of canals.

Debate was had thereon, when

Mr. Vanderbilt moved to refer the bill entitled "An act relative to the Auditor of the Canal Department, and to make that officer elective by the people of this State," to the committee of the whole, and made the special order at the same time.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol	Newcomb	VanSchoonhoven	Ward	Wright
Cooley	Vanderbilt			

7

FOR THE NEGATIVE.

Babcock	Conger	Jones	Pierce	Smith
Bartlett	Cornell	Kirby	Platt	Taber
Beekman	Davenport	McElwain	Rogers	Williams
Bennett	Huntington			

17

Mr. Rogers moved to refer the bill making appropriations for State prisons, to the committee of the whole, and made the special order at the same time.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole, on the following entitled bills :

"An act appropriating moneys for the payment of interest on the canal revenue certificates and on the Oswego loan."

Assembly bill entitled "An act appropriating moneys to the Canal Fund to be applied to the Erie canal enlargement, the Black river, the Genesee Valley, the Oswego, the Seneca and Cayuga, and Crooked Lake canals."

Assembly bill entitled "An act appropriating moneys to the payment of canal debts and for other purposes."

And after some time spent thereon, Mr. Snow, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again on each of said bills.

The hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on said bills,

And after some time spent thereon, Mr. Snow, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

On motion of Mr. Cooley,

Said bills were made a special order for to-morrow, immediately after the presentation of petitions.

By unanimous consent,

Mr. Vanderbilt offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the trustees of the capitol be respectfully requested to take efficient measures to ventilate the Senate chamber.

Ordered, That said resolution be laid on the table.

Mr. Babcock moved that the Senate do now adjourn.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock
Bartlett
Beekman

Clark
Conger
Cornell

Davenport
Huntington
McElwain

Newcomb
Pierce

Platt
Ward

13

FOR THE NEGATIVE.

Bennett
Cooley

Morgan

Snow

Vanderbilt

Wright

6

The Senate adjourned to ten o'clock, a. m., to-morrow.

THURSDAY, JUNE 23, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Beecher.

The journal of yesterday was read and approved.

Mr. Conger presented the petition of citizens of Oneida co., for a law to relieve certain school officers; and

By unanimous consent,

Mr. Conger asked and obtained leave to introduce a bill entitled "An act in relation to recoveries against school districts," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on literature, to report complete.

Mr. Kirby presented two several petitions of citizens of Niagara co., in favor of a ship canal around Niagara Falls, which were referred to the committee on canals.

Mr. Platt presented two several petitions of citizens of Oswego, also the petition of citizens of Western New-York, on the same subject, which were referred to the committee on canals.

Mr. Williams presented the memorial of Sturges, Clearman & Co., for a law to prevent further encroachments on the water of the harbor of New-York, and to appoint commissioners to fix permanent water line; also the memorial of Phelps, Dodge and Co., on the same subject, which were referred to the committee on commerce and navigation.

Mr. Ward moved that the special order be postponed, until after reports of committees.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Clark moved to postpone the special order for half an hour, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bennett	Clark	Newcomb	Vanderbilt	Ward	
Bristol	Jones	Otis			8

FOR THE NEGATIVE.

Babcock	Beekman	Davenport	McElwain	Smith	
Bartlett	Conger	Huntington	Pierce	Williams	
Beach	Cornell	Kirby	Platt		14

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act appropriating moneys for the payment of interest on the canal revenue certificates and on the Oswego loan."

Assembly bill entitled "An act appropriating moneys to the Canal Fund, to be applied to the Erie canal enlargement, the Black river, the Genesee Valley, the Oswego, the Seneca and Cayuga, and Crooked Lake canals."

Assembly bill entitled "An act appropriating moneys to the payment of canal debts and for other purposes."

And after some time spent thereon, Mr. Snow, from said committee, reported in favor of the passage of said first mentioned bill with amendments.

Mr. Snow, from said committee, reported progress on said second and third mentioned bills, and asked leave to sit again.

The President announced the question to be on agreeing to the report of the committee on said first mentioned bill.

Mr. Conger moved to amend said report, by striking out the sum of \$270,000 in the first section of said bill as amended, and inserting \$180,000 in lieu thereof; and striking out "1855" and inserting "1854."

Debate was had thereon, when

Mr. Williams moved to lay said report and motion for an amendment, on the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bartlett				2
---------	----------	--	--	--	---

FOR THE NEGATIVE.

Beaumont	Cornell	McElwain	Platt	Van Schoonhoven	
Bristol	Davenport	Morgan	Smith	Ward	
Clark	Huntington	Munroe	Snow	Williams	
Conger	Jones	Newcomb	Upham	Wright	
Cooley	Kirby	Pierce	Vanderbilt		24

The President announced the question to be on the motion of Mr. Conger.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Conger	Davenport	Jones	Pierce	Platt	
Cornell					6

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Snow	Van Schoonhoven	
Beach	Cooley	Morgan	Taber	Ward	
Beckman	Huntington	Newcomb	Upham	Wright	
Bristol	Kirby	Smith	Vanderbilt		19

Mr. Babcock moved to lay the said report of the committee on the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Williams	3
---------	--------	----------	---

FOR THE NEGATIVE.

Beanett	Cornell	Morgan	Smith	Upham
Bristol	Davenport	Otis	Snow	Vanderbilt
Clark	Huntington	Pierce	Taber	VanSchoonhoven
Cooley	McElwain	Platt		18

The President then put the question on agreeing to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Cornell offered for the consideration of the Senate, a resolution in the words following to wit:

Resolved, That the Senate bill, No. 271, be recommitted to the committee on canals, with instructions so to amend the same, as to provide for the immediate pro rata repayment, to the holders or owners of the canal revenue certificates, of the proceeds of said certificates now remaining in the treasury and unappropriated, and that the committee report the said bill complete.

Debate was had thereon, when

Mr. Bristol called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	2
---------	---------	---

FOR THE NEGATIVE.

Beekman	Davenport	Morgan	Platt	Vanderbilt
Bennett	Huntington	Newcomb	Smith	VanSchoonhoven
Bristol	Kirby	Otis	Snow	Ward
Clark	McElwain	Pierce	Upham	Williams
Conger				21

The President announced the question to be on granting leave to sit again on said second and third mentioned bills.

Mr. Pierce moved that said bills be referred to a select committee, with instructions to revise the same, and with power to report complete.

Mr. Conger moved to amend, with instructions so to amend, as to apply the balance in the treasury of moneys received on account of canal revenue certificates, after deducting the amount to be appropriated for interest on the same, towards the payment of protested drafts for work already done on contracts duly made

for the completion of the Erie canal enlargement, and of the Genesee Valley and Black river canals.

Debate was had thereon, when

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Cornell	Jones	Otis	5
---------	--------	---------	-------	------	---

FOR THE NEGATIVE.

Bartlett	Clark	Morgan	Platt	Vanderbilt	
Beach	Davenport	Munroe	Smith	VanSchoonhoven	
Beekman	Huntington	Newcomb	Snow	Ward	
Bennett	Kirby	Pierce	Upham	Williams	
Bristol	McElwain				22

The President put the question whether the Senate would agree to the said motion of Mr. Pierce, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Pierce, Cooley and Platt.

The President presented a communication, in the words following, to wit:

*To the Hon. the Senate and Assembly
of the State of New-York:*

The undersigned, in behalf of the proprietors of the Peoples' line of steamers, would respectfully tender the hospitalities of their steamboats to your honorable body and your officers, from Albany to New-York and return, on the occasion of the Legislative excursion over the New-York and Erie railroad.

Very respectfully,

I. NEWTON.

Albany, June 23, 1853.

By unanimous consent,

Mr. Williams offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the Commissioners of the Canal Fund be respectfully requested to report, at as early a day as possible, to this Senate, the precise present condition of the money received for the sale of canal revenue certificates, together with the amount of interest accumulated thereon, the amount received, and the date of such receipts, the amount paid, when paid, and for what purposes, the amount now on hand, and if deposited in any bank or banks, the amount in each bank, the rate of interest such bank or banks have engaged to pay for the use thereof, and when or how often such interest is payable.

Ordered, That said resolution be laid on the table.

Mr. Clark, from the committee on roads and bridges, to which

was referred the Assembly bill entitled "An act to provide for rebuilding a bridge across the Canandaigua outlet at the village of Manchester, in the town of Manchester, county of Ontario, and for raising money for that purpose by tax upon said town," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Conger, from the committee on finance, to which was referred the Assembly bill entitled "An act authorising the Comptroller to loan money to the towns of Watertown, Pamela and Wilna, in the county of Jefferson," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act in relation to common schools in the city of Albany, west of Perry street," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act in relation to recoveries against school districts," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act to amend the charter of the Auburn female university," reported against the passage of said bill.

Mr. Beach moved to lay said report on the table.

The President put the question whether the Senate would agree to the said motion and it was decided in the affirmative.

By unanimous consent,

Mr. Vanderbilt asked for and obtained leave to introduce a bill entitled "An act for the relief of Ann Eliza Goewey," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to enable Claude Simonin and Madaline Simonin, to hold real estate," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act providing for the appointment of an additional number of commissioners of deeds in and for the city and county of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the charter of the

Montgomery mining company," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Vanderbilt, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the act incorporating the village of Phoenix, in the county of Oswego," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Wright in behalf of Mr. Rogers, asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the better regulation of the county and State prisons of the State, and consolidating and amending the existing laws in relation thereto,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

Mr. Pierce, from the committee on canals, to which was referred the Assembly bill entitled "An act to repeal an act entitled 'An act in relation to the enlargement of the Erie and Oswego canals, and the completion of the Black river and Genesee Valley canals,'" reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Pierce, from the committee on canals, to which was referred the Assembly bill entitled "An act to incorporate the Niagara ship canal company," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorise a loan to the county of Orleans, for the purpose of building a bridge across Oak Orchard creek, in the town of Carlton, in the county of Orleans," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for the completion of the tax roll when it shall have been omitted at the annual meeting of the board of supervisors," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for draining the swamp lands along the streams known as Bear Trap and Mud creek, in the town of Salina," re-

ported in favor of the passage of the same without amendment which was committed to the committee of the whole.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act for the preservation of Evergreen cemetery, in the village of Pine Plains, Dutchess co.," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

At a quarter to two o'clock, p. m. the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Beekman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the judiciary,' passed May 12, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act passed April 15, 1853, entitled 'An act in relation to plank roads,' with power to report complete, so reported.

Mr. Bartlett moved to amend said report, by restoring the second section which had been stricken out by the committee on roads and bridges.

Mr. Platt moved to further amend, by excepting the counties of Madison, Oswego and Rensselaer, from the operation of said bill.

Debate was had thereon; when

Mr. Bennett called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Munroe	Platt	Vanderbilt	VanSchoonhoven
Cooley	Otis			7

FOR THE NEGATIVE.

Bennett	Cornell	Kirby	Pierce	Upham
Bristol	Huntington	McElwain	Snow	Williams
Clark	Jones	Newcomb		

13

The President announced the question to be on the motion for amendment by Mr. Bartlett.

Debate was had thereon, when

Mr. Munroe moved to amend, by excluding Onondaga, from the operation of said bill.

Mr. Pierce moved to lay the whole subject on the table.

Debate was had thereon, when

Mr. Pierce withdrew his said motion.

Mr. Bennett moved to recommit said bill to the committee on roads and bridges, with power to report complete.

Mr. Platt moved to lay the whole subject on the table.

Mr. Bennett called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Davenport	Pierce	Platt	5
---------	-------	-----------	--------	-------	---

FOR THE NEGATIVE.

Bartlett	Cornell	Kirby	Snow	Vanderbilt	
Bennett	Huntington	Morgan	Taber	VanSchoonhoven	13
Bristol	Jones	Munroe			

The President announced the question to be on the motion of Mr. Bennett, to recommit said bill, with power to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the construction of a plank road in the town of Carlton, in the county of Chautauque, and to incorporate the Frewsburg plank road company," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the Mongaup, Forrestburgh and Port Jervis plank road company to borrow money to complete their road," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Van Schoonhoven asked for and obtained leave to introduce a bill entitled "An act relative to the Lansinburgh plank road company," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Babcock, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the confinement of juvenile offenders under sentences of courts of the United States," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the petition of Jeb Lea, an alien, for authority to

take and hold real estate, reported, and asked and obtained leave to introduce a bill entitled "An act to authorise Job Lea, to take and hold real estate in the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the judiciary,' passed May 12, 1847," reported in favor of the passage of the same without amendment,

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. McElwain asked and obtained leave to introduce a bill entitled "An act to amend an act to incorporate the village of Perry, in the county of Wyoming," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act for the incorporation of villages, passed December 7, 1847, so far as it relates to the village of Niagara Falls, Niagara co.," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Utica,' passed March 31, 1839," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Taber, from the committee on the judiciary to which was referred the bill entitled "An act to release the interest of the people of this State in lands acquired by escheat on the death of David Scrimgeour, late of the city of New-York, to Elizabeth Scott and Catharine Scrimgeour," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Bristol, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act for the relief of Henry Jordan, an Indian of the Oneida tribe, for services as interpreter and agent for said Indians," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the petition of commissioners of highways of Greenbush, reported, and asked and obtained leave to introduce

a bill entitled "An act to authorise the commissioners of highways or the assessor of the town of Greenbush, Rensselaer co., to raise the sum of \$3,000 to repair a road in said town," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to facilitate the laying out, altering, or discontinuing highways," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cooley moved to lay the present order of business (reports of committees) on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol	Davenport	Munroe	Snow	VanSchoonhoven	
Clark	McElwain	Newcomb	Upham	Ward	
Cooley	Morgan	Smith	Vanderbilt		14

FOR THE NEGATIVE.

Babcock	Beekman	Cornell	Pierce	Williams	
Bartlett	Bennett	Jones	Platt	Wright	
Beach	Conger	Kirby	Taber		14

Mr. Beekman moved to take from the table the report of the select committee on the Assembly bill entitled "An act relative to the purchase, possession, and laying out of certain lands for a public park in the city of New-York, and the powers and duties of the mayor, aldermen and commonalty, relative thereto."

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Davenport	Morgan	Snow	
Bartlett	Bristol	Jones	Otis	Taber	
Beach	Conger	McElwain	Pierce	Upham	
Beekman	Cornell				17

FOR THE NEGATIVE.

Clark	Munroe	Smith	VanSchoonhoven	Williams	
Cooley	Newcomb	Vanderbilt	Ward	Wright	
Kirby					11

The President announced the question to be on agreeing to the report of the committee on said bill.

Debate was had thereon, when

On motion of Mr. Van Schoonhoven, the Senate adjourned to ten o'clock, a. m., to-morrow.

FRIDAY, JUNE 24, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Huntington.

The journal of yesterday was read and approved.

Mr. Beekman presented the petition of David Ogden, and many other citizens of New-York city, remonstrating against the passage of an act to authorise the incorporation of Roman Catholic associations, which was laid on the table.

Mr. Platt presented three several petitions of citizens of Oswego, in favor of the construction of the Niagara ship canal, which were committed to the committee of the whole.

The President presented a communication from citizens of Troy, respectfully inviting the members of the Senate to participate with them in the coming anniversary of American Independence.

A bill was received from the Assembly for concurrence, entitled "An act to enable the supervisors of the city and county of New-York, to raise money by tax," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a committee of New-York Senators, to report complete.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bill:

"An act for the relief of Ann Eliza Goewey."

The President announced the special order, it being the consideration of general orders.

Mr. Van Schoonhoven moved to lay the same upon the table, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	Munroe	Platt	Vanderbilt
Bartlett	Davenport	Newcomb	Smith	VanSchoonhoven
Bennett	Kirby	Otis	Taber	Ward
Clark	Morgan	Pierce	Upham	Wright
Cooley				

21

FOR THE NEGATIVE.

Beach	Conger	Jones	Williams
-------	--------	-------	----------

4

Mr. Bennett, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to plank roads,' passed April 15, 1853," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

The bill entitled "An act for the relief of Ann Eliza Goewey," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Vanderbilt
Beach	Cooley	McElwain	Pierce	VanSchoonhoven
Beckman	Davenport	Morgan	Platt	Ward
Bennett	Huntington	Munroe	Smith	Williams
Bristol	Jones	Newcomb	Upham	Wright
Clark				

26

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to regulate the hours of labor on the public works and in the manufacturing establishments of the State, and at mechanical arts and trades," was read a third time, when

Mr. Williams moved to recommit to the committee on grievances, with instructions to strike out all after the word "week" in next to the last line in the first section of said bill, and insert as follows : 'exclusive of the Sabbath.'

Debate was had thereon, when

Mr. Otis moved to amend, by further instructing said committee as follows : to be added to the third section of said bill "it shall not be lawful for any person or persons, to employ any female to make any shirt for a less sum than 25 cts., nor shall any person or persons employ any female to make pantaloons for less than 50 cts., under a penalty of \$50 for each and every offence."

Mr. Beach moved to further amend, by inserting the word "day" before the word "laborer," in the first line of the first section, and strike out all that follows to the word "by," in the third line of said section, and strike out "in any of the employments specified in this section."

Mr. McElwain moved to lay the whole subject on the table, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Jones	Munroe	Snow	Ward
Huntington	McElwain	Platt		

8

FOR THE NEGATIVE.

Beach	Cooley	Newcomb	Smith	VanSchoonhoven
Beckman	Davenport	Otis	Upham	Williams
Clark	Morgan	Pierce	Vanderbilt	Wright
Conger				

26

The President announced the question to be on the amendment of Mr. Beach.

Debate was had thereon, when

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Newcomb	Upham
Bartlett	Cornell	Morgan	Otis	VanSchoonhoven
Beach	Jones	Munroe	Pierce	Williams
Beckman				16

FOR THE NEGATIVE.

Clark	Cooley	Smith	Snow	Wright	5
-------	--------	-------	------	--------	---

The President announced the question to be on the amendment offered by Mr. Otis.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	McElwain	Pierce	Williams
Beckman	Huntington	Munroe	Snow	Wright
Bennett	Jones	Otis	Ward	14

FOR THE NEGATIVE.

Clark	Morgan	Smith	Upham	Vanderbilt
Cooley	Newcomb			7

Mr. Bennett moved to lay the whole subject on the table.

Mr. Williams called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bennett	Jones	Platt	Snow	Ward
Huntington	McElwain			7

FOR THE NEGATIVE.

Beach	Cooley	Newcomb	Vanderbilt	Williams
Clark	Morgan	Otis	VanSchoonhoven	Wright
Conger	Munroe	Upham		13

The President announced the question to be on the motion of Mr. Williams as amended by the amendments of Messrs Otis and Beach, adopted by the Senate, when

Mr. Williams offered the following as a substitute for the instructions contained in his original motion.

Strike out section 1st and insert the following:

§ 1. Ten hours labor shall, in all cases, be construed to consti-

tute a days' work, except in cases where a different number of hours are fixed by special contract.

Mr. VanSchoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows;

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Morgan	Ward	
Beach	Cornell	McElwain	VanSchoonhoven	Williams	10

FOR THE NEGATIVE.

Babcock	Cooley	Munroe	Pierce	Upham	
Bristol	Huntington	Newcomb	Smith	Vanderbilt	
Clark	Kirby	Otis	Snow	Wright	15

The President then announced the question to be on the original motion of Mr. Williams.

Mr. Huntington called for a division of the question.

The President announced the question to be on the first division to wit: to recommit to the committee on grievances.

Mr. Clark called for the ayes and noes.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Beekman	Huntington	McElwain	Ward	
Beach	Cornell	Jones	Pierce	Williams	10

FOR THE NEGATIVE.

Babcock	Conger	Newcomb	Snow	VanSchoonhoven	
Bennett	Cooley	Otis	Upham	Wright	
Clark	Morgan	Smith	Vanderbilt		14

The President then announced the question to be on the final reading of the bill.

Mr. Bennett moved to lay the same on the table.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Huntington	McElwain	Snow	
Beach	Cornell	Jones	Munroe	Williams	
Bennett					11

FOR THE NEGATIVE.

Babcock	Cooley	Otis	Upham	Ward	
Beekman	Morgan	Pierce	Vanderbilt	Wright	
Clark	Newcomb	Smith	VanSchoonhoven		14

Mr. Beach moved that said bill be committed to a select committee, with instructions to amend by inserting the word "day"

in the first line of first section, and striking out all that follows to the word "by," in the third line of said section; and also striking out the following words: "in any of the employments specified in this section," in the fifth and sixth lines of said section.

Mr. Ward moved to lay the whole subject on the table.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative as follows:

FOR THE AFFIRMATIVE.

Babcock	Huntington	Jones	McElwain	Ward	6
Conger					

FOR THE NEGATIVE.

Beach	Morgan	Otis	Smith	Vanderbilt	
Clark	Munroe	Pierce	Upham	VanSchoonhoven	12
Cooley	Newcomb				

The President announced the question to be on the motion of Mr. Beach.

Mr. Williams moved to amend by striking out the instructions contained in the motion of Mr. Beach and inserting the following: strike out all after the enacting clause in said bill and insert the following substitute for the bill under consideration:

§ 1. Ten hours labor shall, in all cases, be construed to constitute a day's work, except in cases where a different number of hours are fixed by special contract.

Mr. Otis moved to amend by adding to the above as follows:

It shall not be lawful for any person or persons to employ any female to make any shirt for a less sum than 25 cents, nor shall any person or persons employ any female to make pantalo ns for a less sum than 50 cents, under a penalty of \$50 for each and every offence.

The President put the question on the motion of Mr. Otis, and it was decided in the negative.

The President announced the question to be on the motion of Mr. Williams.

Mr. Van Schoonhoven called for a division of the question.

The President announced the question to be on striking out all after the enacting clause in said bill, and put the question thereon and it was decided in the negative.

Mr. President then announced the question to be on the motion of Mr. Beach.

Mr. Williams called for a division of the question.

Mr Beach moved that the question be first taken on the division of the question for the instruction to the committee.

The President put the question on said motion and it was decided in the affirmative.

The President then announced the question to be on the division of the question for instructing the committee.

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	McElwain	Munroe	Pierce	VanSchoonhoven	
Beach	Morgan	Otis	Upham		9

FOR THE NEGATIVE.

Conger	Huntington	Newcomb	Snow	Ward	
Cooley	Jones	Smith	Vanderbilt	Wright	10

The President then announced the question to be on the motion of Mr. Beach to recommit.

Mr. Beach then withdrew said motion and the bill was read a third time

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative as follows :

FOR THE AFFIRMATIVE.

Bristol	Morgan	Pierce	Vanderbilt	Ward	
Clark	Newcomb	Smith	VanSchoonhoven	Wright	
Cooley	Otis	Upham			13

FOR THE NEGATIVE.

Babcock	Bennett	Huntington	McElwain	Snow	
Beach	Conger	Jones	Platt		9

Mr. Cooley moved a reconsideration of said vote, and that such motion do lay upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to provide for the incorporation of fire and inland navigation insurance companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor hereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Newcomb	VanSchoonhoven	
Beach	Cooley	Kirby	Otis	Ward	
Beckman	Cornell	McElwain	Snow	Williams	
Bennett	Huntington	Morgan	Upham	Wright	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the Erie and New-York city railroad company, to acquire title to real estate required for the purpose of its incorporation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Cornell	McElwain	Pierce	Vanderbilt	
Beekman	Huntington	Morgan	Platt	Ward	
Conger	Jones	Newcomb	Smith	Williams	
Cooley	Kirby	Otis	Upham	Wright	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills :

"An act to amend an act entitled 'An act in relation to plank roads,' passed April 15th, 1853."

"An act to release the interest of the people of this State in lands acquired by escheat on the death of James Scrimgeour, late of the city of New-York, to Elizabeth Scott and Catharine Scrimgeour."

"An act to amend an act entitled 'An act to incorporate the village of Perry,' passed April 17, 1830."

"An act relative to the Lansingburgh plank road company."

"An act to amend the charter of the Montgomery mining company."

"An act appropriating money to the payment of interest on the canal revenue certificates, and on the Oswego loan."

"An act to amend an act entitled 'An act in relation to the judiciary,' passed May 12, 1847."

"An act to authorise the Grocers' steam sugar refining company of New-York, to borrow money."

"An act in relation to the confinement of juvenile offenders under sentence in courts of the United States."

"An act to authorise Job Lea, to take and hold real estate in the city of New-York."

"An act for the preservation and protection of Evergreen cemetery, in the village of Pine Plains, in the county of Dutchess."

"An act in relation to recoveries against school officers."

"An act for the preservation of fish in the waters of Lake George."

Ordered, That said bills do have their third reading.

The bill entitled "An act to authorise the incorporation of Roman Catholic congregations or societies," was read a third time, when

Mr. Babcock moved to refer said bill to the committee on the judiciary, with instructions to strike out the enacting clause.

The hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

A resolution from the Assembly was received and read in the words following, to wit:

Resolved, (If the Senate concur,) That the Commissioners of the Land Office be, and they are hereby authorised to enquire into the validity of the claim of David Jones, against the people of this State, arising out of the forfeiture and sale of certain lands formerly belonging to Daniel Jones; and if in their opinion said claim is well founded, they are authorised to negotiate and agree with him for the compromise of such claim, subject to the approval of the Legislature.

In pursuance of previous notice, and by unanimous consent,

Mr. Munroe asked and obtained leave to introduce a bill entitled "An act to incorporate the Niagara river bridge company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

On motion of Mr. Van Schoonhoven, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to authorise the commissioners of highways or the assessor of the town of Greenbush, Rensselaer co., to raise the sum of \$3,000 to repair a road in said town," and the same was ordered engrossed for a third reading.

The President announced the question before the Senate, to be on the motion of Mr. Babcock, to refer the bill entitled "An act to authorise the incorporation of Roman Catholic congregations or societies," to the committee on the judiciary, with instructions to strike out the enacting clause.

Debate was had thereon, when

Mr. Cooley moved that the Senate do now adjourn.

Mr. Williams called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol

FOR THE NEGATIVE.

Babcock
Parllett
Beckman

Conger
Cornell
Jones

McElwain
Pierce
Platt

Smith
Snow
Taber

Vanderbilt
Ward
Williams

The President announced the question to be on the motion of Mr. Babcock, to refer said bill, &c.

Debate was had thereon, when

Mr. Clark moved that the Senate do now adjourn.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol	Conger	McElwain	Morgan	Munroe	
Clark	Kirby				7

FOR THE NEGATIVE.

Beekman	Newcomb	Platt	Taber	Williams	
Cornell	Pierce	Smith	VanSchoonhoven	Wright	
Jones					11

The President announced the question to be on the said motion of Mr. Babcock.

Mr. Cornell moved that the said bill be made a special order for to-morrow, at 12 o'clock, a. m., and that the question on the final passage of said bill be taken at eleven o'clock, a. m. on Tuesday.

Mr. Pierce moved that the Senate do now adjourn.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Pierce	Platt	Taber	VanSchoonhoven	
Jones					6

FOR THE NEGATIVE.

Babcock	Cornell	Morgan	Newcomb	Williams	
Conger	McElwain	Munroe	Smith		9

No quorum being present,

On motion of Mr. Pierce, the Senate adjourned to ten o'clock, a. m., to-morrow.

SATURDAY, JUNE 25, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Wadhams.

The journal of yesterday was read and approved.

On motion of Mr. Beekman and by unanimous consent, the Senate then proceeded to the order of third reading of bills.

The bill entitled "An act relative to the Lansingburgh plank road company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babeock	Bristol	Davenport	Munroe	Smith
Bartlett	Clark	Huntington	Newcomb	Upham
Beekman	Conger	Jones	Pierce	Vanderbilt
Bennett	Cornell	McElwain	Platt	VanSchoonhoven

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to facilitate the service of process in certain cases," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babeock	Bristol	Cornell	Kirby	Platt
Bartlett	Clark	Davenport	McElwain	Smith
Beekman	Conger	Huntington	Newcomb	Snow
Bennett	Cooley	Jones	Pierce	Upham

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorise the Monterey, Coopers Plains, Painted Post and Corning plank road company to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babeock	Bristol	Davenport	McElwain	Smith
Bartlett	Clark	Huntington	Newcomb	Snow
Beekman	Cooley	Jones	Pierce	Vanderbilt
Bennett	Cornell	Kirby	Platt	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the Mongaup Forrestburgh and Port Jervis plank road company to borrow money to complete their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beekman	Cooley	Jones	Pieroe	Snow
Bennett	Cornell	Kirby	Platt	Vanderbilt
Bristol	Davenport	McElwain	Smith	Williams
Clark	Huntington	Newcomb		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to authorise the laying a double railroad track in Division Avenue, and a single track through certain streets in the cities of Williamsburgh and Brooklyn, and the towns of Bushwick and New Lots, in the county of Kings," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beekman	Conger	Huntington	Newcomb	Snow
Bennett	Cooley	Jones	Pieroe	Upham
Bristol	Cornell	Kirby	Platt	Vanderbilt
Clark	Davenport	McElwain	Smith	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to legalize certain highways in the town of Greig, in the county of Lewis," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beekman	Cornell	Kirby	Platt	Upham
Bennett	Davenport	McElwain	Smith	Vanderbilt
Bristol	Huntington	Newcomb	Snow	Williams
Conger	Jones	Pieroe		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the Utica water works company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Rabeock	Clark	Huntington	Newcomb	Snow
Beekman	Cooley	Jones	Pieroe	Upham
Bennett	Cornell	Kirby	Platt	Vanderbilt
Bristol	Davenport	McElwain	Smith	Williams

20

Ordered, That the Clerk deliver the said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to jurors in the city of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Pierce	Upham
Bartlett	Cooley	Kirby	Platt	Vanderbilt
Beekman	Cornell	McElwain	Smith	VanSchoonhoven
Bennett	Davenport	Munroe	Snow	Williams
Clark	Huntington			22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to provide for re-building a bridge across the Canandaigua outlet at the village of Manchester in the town of Manchester, county of Ontario, and for raising money for that purpose by tax upon said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Newcomb	Snow
Beekman	Cooley	Kirby	Pierce	Upham
Bennett	Davenport	McElwain	Platt	Vanderbilt
Bristol	Huntington	Munroe	Smith	Williams
Clark				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the consolidation of the municipal government of the cities of Brooklyn and Williamsburgh, and the town of Bushwick," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

The Assembly bill entitled "An act ceding jurisdiction to the United States over lands to be occupied as sites of lighthouses and keepers' dwellings within this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative.

mative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Newcomb	Upham
Bartlett	Cooley	Kirby	Platt	Vanderbilt
Beekman	Cornell	McElwain	Smith	VanSchoonhoven
Bristol	Davenport	Munroe	Snow	Williams
Clark	Huntington			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment

The bill entitled "An act to amend an act entitled 'An act in relation to the judiciary,' passed May 12, 1847," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Newcomb	Snow
Bartlett	Conger	Jones	Pierce	Upham
Beekman	Cooley	Kirby	Platt	Vanderbilt
Bennett	Davenport	McElwain	Smith	VanSchoonhoven

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to recoveries against school officers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington *	Munroe	Smith
Bartlett	Conger	Jones	Newcomb	Snow
Beekman	Cooley	Kirby	Pierce	Upham
Bennett	Davenport	McElwain	Platt	Vanderbilt
Bristol				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed, the following entitled bill :

"An act to authorise the commissioners of highways or the assessors of the town of Greenbush, Rensselaer co., to raise the sum of three thousand dollars to repair roads in said town."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Pierce	Upham
Bartlett	Conger	McElwain	Platt	Vanderbilt
Beekman	Davenport	Munroe	Smith	VanSchoonhoven
Bennett	Huntington	Newcomb	Snow	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the New-York and Montgomery mining company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Platt	Upham
Beekman	Conger	Kirby	Smith	Vanderbilt
Bennett	Davenport	McElwain	Snow	VanSchoonhoven
Bristol	Huntington	Munroe		18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the licensing and government of the pilots, and regulating pilotage of the port of New-York," was read a third time, when

Mr. Beekman moved to recommit said bill to the committee on commerce and navigation, with instructions to amend the same as follows :

Section 13th, third line, drawing less than fourteen feet water, insert "\$2.50" in place of "\$2.00"; sixth line, for vessels drawing 14 feet, and less than 18, "\$3.25" in place of "\$2.50". Seventh line, for vessels drawing 18 feet and upwards "\$3.75" in place of "\$3.50". For all national armed vessels, "\$6.25" in place of "\$5.00 per foot.

Strike out all the 13th section after the 14th line.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock moved to further instruct said committee as follows : "In § 12, insert the word "habitual," before the word "intoxication," and strike out the words "when in charge of a vessel."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled "An act in relation to the confinement of juvenile offenders under sentences in courts of the United States," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Upham
Bartlett	Cooley	McElwain	Smith	Vanderbilt
Beckman	Cornell	Newcomb	Snow	Williams
Bennett	Jones	Pierce		

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to plank roads,' passed April 15, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Vanderbilt
Bartlett	Huntington	Munroe	Smith	Van Schoonhoven
Beckman	Jones	Newcomb	Snow	Williams
Bennett	Kirby	Pierce	Upham	

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the preservation of fish in the waters of Lake George," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Munroe	Smith	Vanderbilt
Beckman	Jones	Newcomb	Snow	Van Schoonhoven
Conger	Kirby	Pierce	Upham	Williams
Cooley	McElwain	Platt		

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the preservation of fish in all the streams of water in this State," was read a third time, when

Mr. Cornell moved to recommit to the committee on the internal affairs of towns and counties, with instructions to strike out the last section in said bill, and report the same back forthwith.

Mr. Bennett, from the committee on the internal affairs of town and counties, to which was recommitteed the above entitled bill, reported the same back amended.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beekman	Cooley	Kirby	Smith	Vanderbilt
Bennett	Cornell	McElwain	Snow	Van Schoonhoven
Bristol	Davenport	Newcomb	Upham	Williams
Clark	Huntington			

17

FOR THE NEGATIVE.

Conger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act for the preservation and protection of Evergreen cemetery, in the village of Pine Plains, in the county of Dutchess," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beekman	Conger	Jones	Newcomb	Upham
Bennett	Cooley	Kirby	Smith	Vanderbilt
Bristol	Cornell	McElwain	Snow	Williams
Clark	Huntington			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Niagara Falls International bridge company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	McElwain	Smith	Vanderbilt
Beekman	Davenport	Newcomb	Snow	Van Schoonhoven
Bennett	Huntington	Pierce	Upham	Williams
Bristol	Kirby			

17

FOR THE NEGATIVE.

Jones

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to repeal an act entitled 'An act in relation to the enlargement of the Erie and Oswego canals and the completion of the Black river and Genesee Valley canals,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Davenport	McElwain	Snow
Bartlett	Conger	Huntington	Newcomb	Upham
Beekman	Cooley	Jones	Pierce	Vanderbilt
Bennett	Cornell	Kirby	Smith	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act amending chapter 478, Laws of 1851, entitled "An act to regulate the planting and taking of oysters in the Harlem river," was read a third time, when

Mr. Cooley moved to recommit to the committee on commerce and navigation.

Debate was had thereon, when

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Huntington	Newcomb	Upham	VanSchoonhoven
Bristol	McElwain	Smith	Vanderbilt	Williams
Cooley	Munroe	Snow		

13

FOR THE NEGATIVE.

Babcock	Clark	Cornell	Jones	Pierce
Bartlett	Conger	Davenport	Kirby	

9

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered, the following entitled bill:

"An act for the incorporation and regulation of telegraph companies."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Newcomb	Snow
Beekman	Davenport	McElwain	Platt	Upham

Bristol
Clark

Huntington
Jones

Munroe

Smith

Vanderbilt

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the said amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the city of Williamsburgh,' passed April 7, 1850," having been read a third time,

Mr. Cooley moved to recommit said bill to the committee on the incorporation of cities and villages, with instructions to strike out the 16th section.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Platt, from the committee on commerce and navigation, to which was recommitted the Assembly bill entitled "An act to provide for the licensing and government of the pilots, and to regulate pilotage of the port of New-York," with instructions to make certain amendments thereto, reported the same with amendments, which were agreed to.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Newcomb	Upham
Bartlett	Conger	Kirby	Pierce	Vanderbilt
Beckman	Cooley	McElwain	Platt	Vaaschoonhoven
Bennett	Cornell	Munroe	Snow	Williams
Bristol	Davenport			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Williams, from the committee on the incorporation of cities and villages, to which was recommitted the Assembly bill entitled "An act to amend an act to incorporate the city of Williamsburgh, passed April 7, 1850," with instructions to strike out the 16th section thereof, reported the same amended accordingly.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Otis	Snow
Bartlett	Cooley	Kirby	Pierce	Upham
Bennett	Cornell	McElwain	Platt	Vanderbilt
Bristol	Huntington	Newcomb	Smith	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the city of Utica,' passed March 31, 1839," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Munroe	Snow
Bartlett	Clark	Jones	Newcomb	Upham
Beckman	Cooley	Kirby	Platt	Vanderbilt
Bennett	Davenport	McElwain	Smith	VanSchoonhoven

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for the education of the children of the Indians of the Tonawanda Indian Reservation in the county of Genesee," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Newcomb	Upham
Bartlett	Conger	Jones	Pierce	Vanderbilt
Beckman	Cooley	Kirby	Platt	VanSchoonhoven
Bennett	Cornell	McElwain	Snow	Williams
Bristol	Davenport	Munroe		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the removal of certain books, records and other papers, from the office of the surrogate of the city and county of New-York, to the office of the surrogate of the county of Ulster," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Davenport	McElwain	Platt
Beckman	Conger	Huntington	Munroe	Snow

Bennett
Bristol

Cooley
Cornell

Jones
Kirby

Newcomb
Pierce

Vanderbilt
VanSchoonhoven
20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to release the interest of the people of this State in lands acquired by escheat on the death of James Scrimgeour, late of the city of New York, to Elizabeth Scott and Catharine Scrimgeour was read a third time, when

On motion of Mr. Babcock the same was recommitted to the committee on the judiciary, with power to report the same complete.

The Assembly bill entitled "An act to amend the act entitled 'An act to incorporate the Western New York Agricultural Live Stock Insurance Company, passed April 15, 1852,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Pierce	Snow
Beekman	Cooley	Munroe	Platt	Vanderbilt
Bennett	Huntington	Newcomb	Smith	Williams
Bristol	Kirby			

17

FOR THE NEGATIVE.

Jones	1
-------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act authorising a charter election in the village of Carthage" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beekman	Conger	McElwain	Pierce	Snow
Bennett	Cooley	Munroe	Platt	Vanderbilt
Bristol	Huntington	Newcomb	Smith	Williams
Clark	Kirby			

17

Ordered, That the Clerk return said bill to the Assembly with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of Perry, passed April 17, 1830,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Munroe	Smith
Beekman	Cooley	Jones	Newcomb	Snow
Bristol	Cornell	Kirby	Pierce	Vanderbilt
Clark	Davenport	McElwain	Platt	Williams

20

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence in the same.

By unanimous consent,

The committee of the whole were discharged from the further consideration of the Assembly bill entitled "An act to enable Claude Simonen and Madaline Simonen to hold real estate," and

On motion of Mr. Newcomb said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows;

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Newcomb	Snow
Bartlett	Cooley	Jones	Pierce	Vanderbilt
Beekman	Cornell	Kirby	Platt	Williams
Bristol	Davenport	McElwain		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Palmyra in the county of Wayne, passed March 29, 1847, and the various acts amendatory thereof, inconsistent herewith,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Davenport	McElwain	Platt
Bartlett	Conger	Huntington	Munroe	Smith
Beekman	Cooley	Jones	Newcomb	Snow
Bristol	Cornell	Kirby	Pierce	Vanderbilt

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the supervisors of the county of Wayne to levy a tax upon the town of Lyons, in said county, for the purpose of building a bridge over the Clyde river on Geneva road passed April 8th 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Munroe	Smith
Beckman	Cooley	Kirby	Newcomb	Snow
Bennett	Davenport	McElwain	Pierce	Vanderbilt
Bristol	Huntington	Morgan	Platt	Williams
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to consolidate and amend an act entitled an act to incorporate the village of Clinton, passed April 12, 1843, and the various acts amendatory thereof,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Jones	Munroe	Smith
Beckman	Cornell	Kirby	Newcomb	Snow
Bennett	Davenport	McElwain	Pierce	Vanderbilt
Bristol	Huntington	Morgan	Platt	Williams
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bill :

"An act to amend 'An act to authorise the town of Sterling in the county of Cayuga, to borrow money, and to tax the town for the payment of the same, passed June 23, 1851,'" and "An act to authorise the founding of a garden in the city of New-York for horticultural purposes."

Ordered, That said bills do have their third reading.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill :

"An act for the relief of Ann Eliza Goewey."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Platt moved that the Senate do now adjourn.

Mr. Smith called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Newcomb	Snow
Bartlett	Clark	Morgan	Pierce	Vanderbilt
Beekman	Cooley	Murroe	Platt	Vaatschoonhoven
Bennett	Davenport			17

FOR THE NEGATIVE.

Conger	Cornell	Smith	Williams	4
--------	---------	-------	----------	---

The Senate then adjourned to 10 o'clock, A. M., Monday.

MONDAY, JUNE 27, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Rabbi Wise.

The journal of yesterday was read and approved.

On motion of Mr. Beach, and by unanimous consent,

Resolved, That Senate bill, No. 415 on the general orders, be ordered engrossed for a third reading.

On motion of Mr. Upham, and by unanimous consent,

Resolved, That the bill in relation to the Niagara ship canal company, be referred to a select committee to report complete.

The President appointed as such committee, Messrs. Upham, Cornell and Platt.

By unanimous consent,

Mr. McElwain offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, (If the Assembly concur,) That one copy of the laws, documents, and other publications authorised by the Legislature of this State, be placed in the library of the New-York State Agricultural College, inclusive of one copy of any works heretofore printed, and not otherwise appropriated.

Ordered, That said resolution be laid upon the table.

On motion of Mr. Cornell, and by unanimous consent,

Resolved, That the judiciary committee be discharged from the further consideration of Senate bill in reference to making compensation for death by wrongful act, and that the same be referred to a select committee to report complete.

The President appointed as such committee, Messrs. Cornell, Bartlett and Beach.

Mr. Williams presented the petition of R. S. Marsh, and sundry other merchants of the city of Buffalo, asking that measures be adopted to protect the public interest against a combination formed at Syracuse, in regard to the manufacture of salt, which was referred to the committee on finance.

Mr. Bristol presented the petition of 400 citizens of the village of Watertown, in Jefferson co., praying for the passage of an act amending the non-imprisonment act, which was referred to the committee on the judiciary.

Mr. Morgan presented the memorial of Joseph Willets, John W. Thorne, Peter J. Neefus, O. H. Jones and other citizens of New-York, against the passage of an act to authorise the incorporation of Roman Catholic congregations or societies, which was laid upon the table.

On motion of Mr. Bennett, and by unanimous consent,

The committee of the whole were discharged from the further consideration of the bill entitled "An act to amend an act to authorise the construction of draw-bridges over the Flushing and Newtown creeks, in the counties of Queens and Kings, passed April 11, 1853," and said bill was referred to the committee on roads and bridges, with power to report complete.

On motion of Mr. Smith, and by unanimous consent,

Resolved, That the Senate will, this day, at 12 o'clock, at noon, go into committee of the whole on the bill for the improvement of the Oswegatchie and Grass rivers; also on the bill for the improvement of the Raquette river, and also on the bill for the improvement of the Grass river, Sacandaga river, and Moose river.

Mr. Bennett, from the committee on the internal affairs, of towns and counties, to which was referred the Assembly bill entitled "An act to authorise any town in the counties of Wyoming, and Cattaraugus, to subscribe for the stock of the Attica and Allegany Valley railroad company, and to issue bonds of said town to said company in payment for the same," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be referred to a select committee, with power to report complete.

The President appointed as such committee, Messrs. McElwain, Ward and Cornell.

Mr. Upham, from the select committee, to which was referred the bill entitled "An act to incorporate the Niagara ship canal company," with power to report complete, so reported, and said bill was ordered to a third reading.

The President having announced the order of third reading of bills, Mr. Babcock called for the consideration of the bill entitled "An act to incorporate the Niagara ship canal company," and moved that said bill be recommitted to the committee of the whole.

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	Morgan	VanSchoonhoven	Williams	
Conger	McElwain	Munroe			8

FOR THE NEGATIVE.

Bennett	Huntington	Otis	Smith	Upham	
Clark	Kirby	Platt	Taber		9

Mr. Cornell moved that said bill be referred back to the select committee.

Debate was had thereon, when

Mr. Babcock moved to amend said motion by referring it to the committee on canals.

Debate was further had thereon, when

Mr. Babcock withdrew his motion.

The President then announced the question to be on the motion of Mr. Cornell.

The President put the question whether the Senate would agree to the said motion and it was decided in the affirmative.

By unanimous consent,

Mr. Morgan presented three memorials of William B. Crosby, Walter R. Jones and others ; also of the board of underwriters of the city of New-York, for the repeal of "An act to fix a permanent line of piers in the city of Brooklyn," which was referred to the committee on commerce and navigation.

Mr. Babcock presented a remonstrance from Horace Holden and others, of the city of New-York, against the bill to incorporate Roman Catholic societies, which was ordered laid on the table.

Mr. Vanderbilt presented a petition from 162 citizens of the city of Brooklyn, for the Niagara ship canal.

Mr. Vanderbilt presented a petition from Charles B. Stewart and 87 other citizens of New-York and Brooklyn in favor of the Niagara ship canal, which was referred to the select committee.

On motion of Mr. Snow and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act in relation to highways and bridges," and that said bill be referred to a select committee with power to report complete.

The President appointed as such committee, Messrs. Snow, Bennett and Huntington.

A message from the Assembly was received and read, informing that they had passed without amendment the following entitled bill :

"An act to authorise the erection of a toll-gate between the village of Elbridge and Skaneateles junction."

Ordered, That said bill be delivered to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act for the better regulation of the county and State prisons of the State, and consolidating and amending the existing laws in relation thereto, passed December 14, 1847,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

A bill was received from the Assembly for concurrence, entitled "An act to amend the Revised Statutes in relation to courts of special sessions, and to regulate the police of the town of Athens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the commissioners of highways of the town of Ridgeway, in the county of Orleans to re-survey part of a certain State road in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Central Square and Pine plank road company, in the counties of Oswego and Oneida to change the termination of their road," which was read the first and by unanimous consent was also read the second time and referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to make it a penalty to avoid gate number two of the Medina and Alabama plank road," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to legalize the acts of Timothy B. Easterly, a commissioner of highways in the town of Persia in the county of Cattaraugus," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act providing for the completion of Division Avenue, in the county of Kings, and for keeping the same in repair," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the trustees of the N. Y. Central College, to sell or mortgage all or a part of their real estate," which was read the first time and by unanimous consent was also read the second time and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act amending chapter 11, of the Laws of 1849, entitled 'An act relating to highways in the towns of East Chester and White Plains, passed January 24, 1849,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the New-York central insurance company of Cherry Valley, Otsego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to amend the charter of the village of Lewiston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act for the more effectual prevention of fires in the city of New-York, and to amend the acts heretofore passed for that purpose; passed March 7, 1849,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to provide for an additional justice of the peace in the town of Lenox, in the county of Madison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act for the more effectual prevention of wanton and malicious mischief," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on grievances.

By unanimous consent,

Mr. Snow asked for and obtained leave to introduce a bill entitled "An act to provide for the appraisement of canal damages of Thomas Countryman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent,

Mr. Taber offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the Senate concur with the committee of the whole in their report on the bill for the relief of James H. Salisbury.

On motion of Mr. Conger, and by unanimous consent,
The report of the committee of the whole on said bill, was

amended by adding the words "if any" after the word "State" in the third line of the first section of said bill.

The President then put the question on agreeing to the report of the committee of the whole on said bill as amended, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Conger, and by unanimous consent,

Resolved, That the States prison appropriation bill—the bill to provide for certain expenses of government—and the bill in relation to the compensation of persons in the employ of the State, be made a special order for Wednesday, at 12 o'clock, at noon.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to improve the Oswegatchie and Grass rivers, in St. Lawrence county, for floating timber and sawed lumber."

"An act for the improvement of Raquette river and the tributaries thereof."

"An act to improve the Grass river in St. Lawrence co., for floating timber and saw logs."

"An act for the improvement of the Sacandaga river, and the west branch of said river, in the counties of Fulton and Hamilton."

"An act for the improvement of the channels of Moose river and Swamp creeks:"

And after some time spent thereon, Mr. Beach, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

The hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The President directed the roll to be called, when the following Senators answered to their names:

Babcock	Conger	McElwain	Munroe	Platt
Bennett	Jones	Morgan	Otis	VanSchoonhoven
Clark				11

Mr. Babcock moved that the Senate do now adjourn.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	McElwain	Platt	VanSchoonhoven
				5

FOR THE NEGATIVE.

Clark	Jones	Otis	Williams	Wright	
Conger	Munroe				7

Mr. Williams moved a call of the Senate, and afterwards withdrew said motion.

Mr. Clark moved that the Senate do now adjourn.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Morgan	Vanderbilt	VanSchoonhoven	
Bennett	McElwain	Platt			8

FOR THE NEGATIVE.

Conger	Munroe	Smith	Williams	Wright	
Jones	Otis				7

The Senate adjourned to ten o'clock, a. m., to-morrow.

TUESDAY, JUNE 28, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Campbell.

The journal of yesterday was read and approved.

Mr. Cooley presented a remonstrance of many citizens of New-York against the Catholic bill, which was ordered laid on the table.

Mr. Upham presented a petition from 124 citizens and business men of Lockport, Niagara county, in favor of the Niagara ship canal, which was referred to a select committee.

Mr. Upham presented two petitions of numerous citizens of Niagara county, in favor of the Niagara ship canal, which were referred to a select committee.

Mr. Babcock presented the remonstrance of Lindley Murray, Lewis Quintard, R. Sedgwick and other citizens of New-York against the passage of the Catholic bill, which was ordered laid on the table.

Mr. Platt presented the remonstrance of 350 citizens of New-York against the bill commonly called the Catholic bill.

Mr. Jones, from the committee on claims, to which was referred the bill entitled "An act for the relief of Thomas Countryman," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Cooley, from the committee on banks and insurance com-

panies, to which was referred the Assembly bill entitled "An act to amend the charter of the New-York Central Insurance Company of Cherry Valley," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to release the Cedarville and-Schuyler lake plank road company from the construction of a part of their road," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on roads and bridges, presented a petition of sundry citizens of Queens county, relative to draw-bridges on Newtown and Bushwick turnpike road and bridge company, and asked for and obtained leave to introduce a bill entitled "An act relative to the Newtown and Bushwick bridge company," which was read the first time and by unanimous consent was also read the second time and committed to the committee of the whole.

Mr. Snow, from the select committee, to which was referred the bill entitled "An act in relation to highways and bridges," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Williams offered the following:

Resolved, (If the Assembly concur,) That this Legislature will adjourn, sine die, on Thursday next at 12 o'clock at noon.

Mr. Conger moved to amend said resolution by inserting "Friday," instead of "Thursday."

Debate was had thereon, when

Mr. Cooley moved to lay said resolution on the table.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Clark	Cornell	Snow	VanSchoonhoven	Wright	
Cooley	Platt	Vanderbilt			8

FOR THE NEGATIVE.

Babcock	Bristol	Jones	Munroe	Smith	
Bartlett	Conger	Kirby	Newcomb	Upham	
Beekman	Davenport	McElwain	Otis	Williams	
Bennett					16

The President then announced the question to be on the amendment offered by Mr. Conger.

Mr. Wright moved to amend the said resolution as follows: strike out all after the word "resolved," and insert "That a committee of conference be appointed to confer with one from the

house with a view of agreeing on some definite time for the final adjournment of the Legislature."

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President then announced the question to be on the amendment offered by Mr. Conger.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Munroe	Smith
Bartlett	Conger	Kirby	Newcomb	Upham
Bennett	Cooley	McElwain	Rogers	VanSchoonhoven
Bristol	Davenport			17

FOR THE NEGATIVE.

Platt	Vanderbilt	Williams	Wright	4
-------	------------	----------	--------	---

The President then announced the question to be on the resolution of Mr. Williams, as amended.

Mr. Williams called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Newcomb	Upham
Bartlett	Conger	Kirby	Otis	VanSchoonhoven
Beekman	Cooley	McElwain	Pierce	Williams
Bennett	Davenport	Munroe	Rogers	Wright
Bristol				21

FOR THE NEGATIVE.

Platt	Vanderbilt	2
-------	------------	---

By unanimous consent,

Mr. Cooley called for the consideration of the motion to reconsider the vote on the final passage of the bill entitled "An act to regulate the hours of labor on the public works and in the manufacturing establishments of the State, and at mechanical arts and trades."

By unanimous consent,

The President put the question on reconsidering the vote on the final passage of said bill, and it was decided in the affirmative.

Mr. Conger moved to recommit said bill, with instructions to insert after the word "week," in the first section, the words "exclusive of the Christian Sabbath."

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Conger	Jones	Pierce	Upham	VanSchoonhoven	
Cooley	Munroe				7

FOR THE NEGATIVE.

Babcock	Pristol	Newcomb	Platt	Vanderbilt	
Beekman	Clark	Otis	Smith	Wright	10

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bristol	Cooley	Pierce	Upham	VanSchoonhoven	
Clark	Munroe	Smith	Vanderbilt	Wright	
Conger	Otis	Taber			13

FOR THE NEGATIVE.

Babcock	Beekman	Jones	Newcomb	Platt	5
---------	---------	-------	---------	-------	---

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed, the following entitled bills :

"An act authorising any railroad company in this State, to subscribe to the capital stock of the Clyde and Sodus Bay railroad company."

"An act for the relief of James H. Salisbury."

By unanimous consent,

Mr. Upham, from the select committee, to which was referred the bill entitled "An act to incorporate the Niagara ship canal company," with power to report complete, so reported.

By unanimous consent,

The question on agreeing with said report, was laid on the table.

The President having announced the order of third reading of bills, Mr. Babcock called for the consideration of the bill entitled "An act to authorise the incorporation of Roman Catholic congregations or societies."

The President announced the question to be on the motion of Mr. Babcock to recommit said bill to the committee on the judiciary, with instructions to strike out the enacting clause.

Debate was had thereon, when

The hour of 12 m., having arrived, the President announced the special order, it being executive session.

And after some time spent therein, the Senate resumed legislative business.

The President announced the question to be on the motion pending at the time the Senate went into executive session, to wit : to recommit the aforesaid bill to the committee on the judiciary, with instructions to strike out the enacting clause.

Debate was had thereon, when

Mr. Van Schoonhoven moved to lay the bill on the table, and

that it be made a special order for to-morrow at eleven o'clock, a. m.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Munroe	Otis	VanSchoonhoven	Wright	4
--------	------	----------------	--------	---

FOR THE NEGATIVE.

Babcock	Clark	Jones	Newcomb	Rogers	
Beckman	Conger	McElwain	Pierce	Taber	
Bennett	Cornell	Morgan	Platt	Vanderbilt	
Bristol					16

On motion of Mr. Taber, and by unanimous consent,

Said bill was amended, by striking out the amendments heretofore offered by him, and adopted by the Senate, so as to restore said bill as originally engrossed.

Mr. Babcock withdrew his motion to recommit.

Mr. Van Schoonhoven moved to recommit said bill to the committee of the whole.

Debate was had thereon, when

The hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The President directed the roll to be called, when the following Senators answered to their names.

Babcock	Clark	Kirby	Munroe	Vanderbilt
Bennett	Cornell	McElwain	Platt	VanSchoonhoven
Bristol	Jones	Morgan	Snow	14

Mr. Cornell moved a call of the Senate.

The doors having been closed, Mr. Babcock moved that the call be suspended.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Platt	Vanderbilt	
Beckman	Clark	McElwain	Snow	VanSchoonhoven	
Bennett	Cooley	Morgan	Taber		14

FOR THE NEGATIVE.

Cornell	Jones	Munroe	Otis	Williams	5
---------	-------	--------	------	----------	---

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate to the following entitled bill:

"An act entitled 'An act to provide for the licensing and government of the pilots and regulating pilotage of the port of New-York.'"

Ordered, That the Clerk return said bill to the Assembly.

On motion of Mr. Morgan, and by unanimous consent, the vote on the final passage of the bill entitled "An act in relation to jurors in the city of New-York," was reconsidered, when, by unanimous consent, the bill was amended as follows:

§ 1. Amend by adding, after the words "petit jurors" the words "for the time being." Section two, third line, after "New-York," add the words "as soon as may be after the passage of this act and afterwards." Fourth line, by striking out the word "May" and inserting "September." Section four, after the words "to be held in said city," by striking out "during the year next ensuing the first day of July next thereafter," and adding "until the next list shall be prepared and the names thereon deposited as hereinafter mentioned;" section six, after the words "prepared and," add "the names thereon." Section seven, after the words "the persons" add "who shall be."

The said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Otis	Taber
Beekman	Cooley	McElwain	Platt	Vanderbilt
Bennett	Cornell	Morgan	Snow	Williams
Bristol	Jones	Munroe		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Munroe and by unanimous consent, the committee of the whole were discharged from the further consideration of "An act for the appropriation of \$500 to repair the road across the Onondaga Indian Reservation," and the same was referred to the committee on roads and bridges, with power to report complete.

On motion of Mr. Taber and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of "An act entitled 'An act in relation to violations of ordinances made by the mayor, aldermen, and comonalty of the city of Albany,'" and that the same be ordered engrossed for a third reading.

By unanimous consent,

Mr. Taber, from the committee on the judiciary, to which was referred the bill entitled "An act to release the interest of the

people of this State in lands acquired by escheat on the death of James Scrymgeour, late of the city of New-York to Elizabeth Scott and Catharine Scrymgeour," with power to report complete, so reported, and said bill was ordered to a third reading.

On motion of Mr. Cooley, and by unanimous consent, the committee of the whole were discharged from the further consideration of "An act to amend the act for the protection of emigrant passengers arriving at the city of New-York, passed April 13, 1853," and said bill was referred to a select committee to report complete.

The President appointed, as such committee, Messrs. Cooley, Bristol and Upham.

The President then announced the question before the Senate to be on the motion of Mr. Van Schoonhoven to recommit the Catholic bill to the committee of the whole.

Debate was had thereon, when

Mr. Van Schoonhoven moved that the Senate do now adjourn.

Mr. Platt called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative as follows:

FOR THE AFFIRMATIVE.

Cooley	Snow	VanSchoonhoven	3
--------	------	----------------	---

FOR THE NEGATIVE.

Beekman	McElwain	Newcomb	Pierce	Platt	8
Kirby	Morgan	Otis			

There being no quorum present, Mr. Van Schoonhoven moved a call of the Senate.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then directed the lobbies to be cleared and the doors closed.

The roll was then called and the following members answered to their names:

Babcock	Jones	Morgan	Pierce	Taber
Bartlett	Kirby	Newcomb	Platt	Vanderbilt
Beekman	McElwain	Otis	Snow	VanSchoonhoven
Cooley				16

On motion of Mr. Vanderbilt the Sergeant-at-Arms was directed to bring in the following named Senators, absent on a call of the Senate:

Beach	Clark	Davenport	Rogers	Ward
Bennett	Conger	Huntington	Smith	Williams
Bristol	Cornell	Munroe	Upham	Wright

Mr. Bennett and Mr. Cornell afterwards appearing, they were on motion, severally excused for their non-attendance on the call of the roll.

Mr. Van Schoonhoven moved that all further proceedings under the call, be suspended.

Debate was had thereon, when

Mr. Van Schoonhoven withdrew the said motion.

Mr. Cooley moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

On motion of Mr. Vanderbilt,

Resolved, That the Clerk be directed to invite the attendance of such Senators as may be found about the Capitol.

Mr. Upham having been brought in, Mr. Cornell moved that he be excused.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Davenport having been brought in, Mr. Van Schoonhoven moved that he be excused.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Van Schoonhoven moved that all further proceedings under the call, be suspended.

Mr. Morgan called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	McElwain	Newcomb	Vanderbilt	VanSchoonhoven	
Cooley	Morgan	Taber			8

FOR THE NEGATIVE.

Bartlett	Cornell	Kirby	Pierce	Snow	
Beekman	Davenport	Otis	Platt	Upham	
Bennett	Jones				12

Mr. Bristol having been brought in, Mr. Cooley moved that he be excused.

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Platt	Upham	
Bartlett	Cornell	Morgan	Snow	Vanderbilt	
Beekman	Jones	Newcomb	Taber	VanSchoonhoven	
Bennett	Kirby	Pierce			18

FOR THE NEGATIVE.

Davenport	Otis				2
-----------	------	--	--	--	---

Mr. Vanderbilt moved the deputy clerk be authorised to bring in Senators who may be found in the ante-rooms.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Munroe having been brought in, Mr. Vanderbilt moved that he be excused.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Bristol moved that all further proceedings under the call be suspended.

Mr. Bartlett called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Morgan	Newcomb	Upham	VanSchoonhoven	
Bristol	Munroe	Taber			8

FOR THE NEGATIVE.

Bartlett	Cooley	Jones	Otis	Snow	
Beekman	Cornell	Kirby	Pierce	Vanderbilt	
Bennett	Davenport	McElwain	Platt		14

Mr. Wright having been brought in, Mr. Upham moved that he be excused.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Bristol moved that all further proceedings under the call, be dispensed with.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Morgan		4
---------	---------	----------	--------	--	---

FOR THE NEGATIVE.

Bartlett	Davenport	Munroe	Pierce	Upham	
Beekman	Jones	Newcomb	Platt	Vanderbilt	
Bennett	Kirby	Otis	Snow	Wright	
Cooley					16

Mr. Williams having been brought in, Mr. Bristol moved that he be excused.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Otis moved that the Senate do now adjourn.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative as follows :

FOR THE AFFIRMATIVE.

Otis	Upham	
------	-------	--

FOR THE NEGATIVE.

Babcock	Bristol	Kirby	Pierce	Vanderbilt
Bartlett	Cooley	McElwain	Platt	Williams
Beekman	Cornell	Newcomb	Snow	Wright
Bennett	Jones			

17

Mr. Bristol moved that further proceedings under the call be suspended.

Mr. Snow called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	Kirby	Morgan	Taber
Bristol	Jones	McElwain	Pierce	VanSchoonhoven

10

FOR THE NEGATIVE.

Bartlett	Cooley	Newcomb	Snow	Vanderbilt
Beekman	Davenport	Otis	Upham	Williams
Bennett	Munroe	Platt		

13

Mr. Morgan moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Newcomb	Upham	VanSchoonhoven
Beekman	Morgan	Otis	Vanderbilt	Wright
Cooley	Munroe	Snow		

13

FOR THE NEGATIVE.

Babcock	Cornell	Kirby	Pierce	Taber
Bennett	Jones	McElwain	Platt	Williams
Bristol				

11

The Senate adjourned to ten o'clock, a. m., to-morrow.

WEDNESDAY, JUNE 29, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Sprague.

The journal of yesterday was read and approved.

Mr. Newcomb presented a remonstrance from Daniel Stuart, John H. Crainer, James M. Vicker, and many others of the city of New-York, against the bill to incorporate Catholic societies, which was ordered laid on the table.

Mr. Beekman presented a remonstrance from W. B. Crosby, and others, praying that the amount asked for by the New-York common council be reduced to \$125,000, which was ordered laid on the table.

Mr. Beekman presented a remonstrance from David Clarkson, Thomas Low, and others, residents of the city of New-York, against the bill known as the Catholic bill, which was ordered laid on the table.

Mr. Babcock presented a remonstrance from the citizens of New-York, against the passage of the Catholic bill, which was ordered laid on the table.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to exempt from sale or execution the homestead of a householder having a family, passed April 10, 1850,'" reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the better security of mechanics and others, erecting buildings and furnishing materials therefor, in the counties of Orleans and Niagara, with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the official acts of James Creighton, a justice of the peace," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the Superior Court, and to the Court of Common Pleas, and the marine court for the city of New-York," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled, "An act to amend the charter of the village of Lewiston," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to provide for the consolidation of the municipal government of the cities of Brooklyn, Williamsburgh, and the town of Bushwick," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Cornell, from the committee on grievances to which was referred the Assembly bill entitled "An act for the more effect-

ual prevention of wanton, malicious mischief," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorise the Herman plank road company, to construct two toll gates upon their road within three miles of each other," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to legalize the acts of Timothy B. Easterly, a commissioner of highways of the town of Persia, in the county of Cattaraugus," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend the charter of the Williamsburgh and Cypress Hills plank road company, and to increase their capital," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act appropriating five hundred dollars to repair the road across the Onondaga Indian reservation," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Conger, from the committee on literature, to which was referred the bill entitled "An act to authorise the trustees of the New-York central college, to sell or mortgage all or part of their real estate," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorising the Central Square and Pine plank road company, in the counties of Oswego and Oneida, to change the termination of their road," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Conger, from the committee on State Prisons, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the better regulation of the county and State prisons of the State, and consolidating and amending the existing laws in relation thereto,' passed December 14, 1847," reported in favor of the passage of the same with amendments.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Taber, from the committee on the judiciary, to which was referred the petition of Mary McAnally and Ann Thompson, for leave to hold real estate, reported, and asked and obtained leave to introduce a bill entitled "An act to enable Mary McAnally and Ann Thompson, to take, hold and convey real estate," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Platt, from the committee on commerce and navigation, to which was referred the petition of numerous citizens of New-York, praying for the passage of an act creating a board of commissioners, with power to fix and determine the water line of the harbor of New-York, for the better and more effectual protection to navigation, reported, and asked and obtained leave to introduce a bill entitled "An act relative to wharves and piers in the harbor of New-York, for appointing commissioners to regulate the construction and extent of the same, and for preventing encroachments and improper constructions," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Vanderbilt, from the committee on the incorporation of cities and villages, to which was referred the petition of citizens of Brooklyn, for an act to incorporate Leffert's Park, reported, and asked and obtained leave to introduce a bill entitled "An act to incorporate Leffert's park," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Vanderbilt, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act to authorise the construction of draw-bridges over the Flushing and Newtown creeks in the counties of Queens and Kings, passed April 11, 1853," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Cooley, from the select committee, to which was referred the bill entitled "An act to amend the act for the protection of emigrant passengers arriving at the city of New-York, passed April 13, 1853," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Upham called for the consideration of the report of the select committee on the bill entitled "An act to incorporate the Niagara ship canal company."

Mr. Babcock moved to strike out the name of "James S. Wadsworth," as one of the corporators.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree

to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Jones	Newcomb	Taber	VanSchoonhoven
Conger	Munroe	Otis	Vanderbilt	Ward
Cooley				

11

FOR THE NEGATIVE.

Bennett	Davenport	Pierce	Rogers	Upham
Bristol	Kirby	Platt	Snow	Wright
Cornell				

11

Mr. Babcock moved to strike out the name of "George W. Hölley," in the third section, and insert the name of "James L. Barton."

Debate was had thereon, when

The hour of 12 o'clock M. having arrived, the President announced the special order, being the consideration of appropriation bills.

Mr. Upham moved that it be postponed until the bill under consideration be disposed of.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bennett	Newcomb	Snow	Vanderbilt	Ward
Cooley	Platt	Upham	VanSchoonhoven	Wright
Munroe				

11

FOR THE NEGATIVE.

Babcock	Cornell	Kirby	Otis	Rogers
Bristol	Davenport	McElwain	Pierce	Williams
Conger	Jones			

12

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, with an amendment as therewith delivered, to the following entitled bill, to wit :

"An act to authorise the laying of a double railroad track in Division Avenue, and a single track through certain streets in the cities of Williamsburgh and Brooklyn, and the towns of Bushwick and New Lots, in the county of Kings."

Mr. Vanderbilt moved that the Senate concur in the amendments of the Assembly thereto.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bennett	Davenport	Munroe	Platt	Upham
Bristol	Jones	- Newcomb	Rogers	Vanderbilt
Conger	Kirby	Otis	Snow	Williams
Cornell	McElwain	Pierce		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the said amendment.

A message from the Assembly, was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bill, to wit:

"An act to amend the general law relative to insurance companies."

A message from the Assembly was received and read, informing that they had non-concurred in the passage of the following entitled bill:

"An act to render more perfect and equitable the laws concerning escheats, now in force in this State, and to derive revenue therefrom."

A bill was received from the Assembly for concurrence, entitled "An act to legalise the official acts of James C. Beebe, W. W. Wooster, and Charles F. Flint, as commissioners of highways of the town of Leicester, Livingston co., which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence entitled "An act to authorise the Buffalo and New-York city railroad company to construct a branch railroad from Burns to Dansville," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on railroads to report complete.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the New-York and Erie railroad benevolent association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies, to report complete.

A bill was received from the Assembly for concurrence entitled "An act to incorporate the PennYan Savings Bank in the village of Penn Yan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

A bill was received from the Assembly for concurrence entitled "An act to amend an act entitled 'An act defining the limits to the jail in the city of Utica, in and for the county of Oneida, passed March 23, 1853,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties, to report complete.

A bill was received from the Assembly for concurrence, entitled

"An act to authorise the supervisors in the several counties in the eighth judicial district to send certain persons who may be confined in the several county jails to the Erie county penitentiary," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the county judge of the county of Dutchess, to appoint a crier of the courts of record, to be held in and for said county," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor, in the city and county of New-York, passed July 11, 1851,'" which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act declaring Beaver river a public highway, and regulating the passage of logs and timber down the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate a cemetery in East McDonough, in the county of Chenango," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have a third reading.

A bill was received from the Assembly for concurrence, entitled "An act to confirm the official acts of John C. Riggs, a justice of the peace of the town of Esperance," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act relating to the First Baptist society of the town of Lorraine, in the county of Jefferson, and to confirm the acts of the same, and its officers," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on charitable and religious societies.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the Elmira and Southport bridge company, incorporated by an act of the Legislature, April 16, 1823," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the Palmyra and Pultneyville plank road company," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act authorising the Havana and Newfield plank road company to erect a toll-gate at or near Odessa," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the Young Men's Association of Ogdensburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

A bill was received from the Assembly for concurrence, entitled "An act to amend title one, chapter twenty, of the ninth subdivision of the sixteenth section of the Revised Statutes, entitled "for the relief and support of indigent persons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on poor laws.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Flushing and Newtown turnpike bridge and road company, to lease a part of their road to the Newtown and Maspeth plank road company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the trustees of the town of Lansing, county of Tompkins, to sell a portion of their property," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the appointment of clerks and a messenger in the tax commissioner's office of the city of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the punishment of assaults with deadly weapons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the Phillipsville and Belfast plank road

company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to enable the High bridge plank road company to surrender a part or the whole of their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to increase the ferry facilities across the Hudson river, between Rhinebeck and Kingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The Senate then resolved itself into a committee of the whole, on the following entitled bills :

"An act making appropriations for the several State prisons."

"An act to provide for certain expenses of government."

"An act to increase the compensation of persons in the employ of the State."

And after some time spent thereon, the hour of 1½ p. m. having arrived, the Senate took a recess to four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the bills under consideration previous to the hour of recess.

And after some time spent thereon, Mr. Jones, (in behalf of Mr. Wright) from said committee, reported in favor of the passage of said first mentioned bill with amendments, which report was agreed to.

Mr. Jones, from said committee, reported progress on said second and third mentioned bills, and asked for and obtained leave to sit again.

Ordered, That said bills do have their third reading.

Mr. Babcock moved that said second and third mentioned bills be made the special order for to-morrow, immediately after the presentation of petitions.

Mr. Wright moved that the Senate do now adjourn.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Ward

Wright

FOR THE NEGATIVE.

Babcock	Davenport	Kirby	Pierce	Taber
Bennett	Huntington	Morgan	Platt	Vanderbilt
Bristol	Jones	Otis	Snow	Williams
Conger				

16

Mr. Van Schoonhoven moved to amend, by making said bills the special order immediately after the reports of committees.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bennett	Munroe	VanSchoonhoven	Wright	4
---------	--------	----------------	--------	---

FOR THE NEGATIVE.

Babcock	Davenport	Kirby	Pierce	Taber
Bristol	Huntington	Morgan	Platt	Vanderbilt
Conger	Jones	Otis	Rogers	Williams
Cornell				

16

Mr. Wright moved that the Senate do now adjourn.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bennett	Munroe	Ward	Wright	4
---------	--------	------	--------	---

FOR THE NEGATIVE.

Babcock	Davenport	Morgan	Platt	Taber
Bristol	Huntington	Otis	Rogers	Vanderbilt
Conger	Jones	Pierce	Snow	Williams
Cornell	Kirby			

17

On motion of Mr. Babcock,

The Senate adjourned to ten o'clock, a. m., to-morrow.

THURSDAY, JUNE 30, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Potter.

The journal of yesterday was read and approved.

Mr. Newcomb presented the remonstrance of numerous citizens of the city of New-York, against the bill commonly called the Catholic bill, which was laid on the table.

Mr. Cooley moved that the judiciary committee be discharged

from the further consideration of the bill entitled "An act relating to the usury laws," and that the same be referred to a select committee, to report complete.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President appointed as such committee, Messrs. Cooley, Morgan and Cornell.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills:

"An act to authorise the trustees of school district number three, in the town of Castleton, county of Richmond, to mortgage the property belonging to said district for certain purposes."

"An act in relation to the Utica water works company."

"An act in relation to recoveries against school officers."

"An act to amend an act entitled 'An act relative to savings banks or institutions for savings in the city of New-York, and the county of Kings,' passed April 15, 1853."

"An act to amend chapter 319, of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848."

"An act in reference to the Munroe academy."

"An act to facilitate the service of process in certain cases."

"An act for the preservation and protection of Evergreen cemetery in the village of Pine Plains, in the county of Dutchess."

"An act relating to highways in the town of Barre, Orleans county."

"An act for the relief of Robert N. McFarren."

"An act to authorise the executors of Edmund K. Bussing, deceased, to become the purchasers of his real estate."

"An act to facilitate the acquisition of lands for a new reservoir in the city of New-York."

"An act to amend the charter of the New-York and Montgomery mining company."

"An act to authorise the board of supervisors of the county of Kings, to borrow money to erect a building for the accommodation of the courts and the public officers of the said county, and to purchase land for a site for such building."

"An act to legalise certain highways in the town of Greig, in the county of Lewis."

"An act to authorise the Delaware and Susquehanna plank road company, to borrow money."

"An act to legalise and confirm a certain conveyance heretofore made by the minister, elders and deacons of the Reformed Dutch church on the corner of Green and Houston streets in the city of New-York."

"An act to amend the act entitled 'An act for the better support of the poor in the town of Newburgh, in the county of Orange,' passed March 23, 1853."

"An act to authorise the Buffalo and Pittsburgh railroad company to terminate its road on the northerly line of the State of Pennsylvania."

"An act making the village of Malone a highway district, and authorising the said village to borrow money."

"An act to authorise stockholders of railroad and plank road companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages."

"An act to amend an act relating to the village of Whitehall, passed June 8, 1847."

"An act relative to the Albany savings bank."

"An act to amend an act to incorporate the missionary society of the Methodist Episcopal church."

"An act to provide for the building of a draw-bridge across Conjocteties creek, in the town of Black Rock, in the county of Erie."

"An act for the preservation of fish in the waters of Lake George."

"An act in relation to jurors in the city of New-York."

"An act to authorise the Attica and Allegany Valley railroad company to change the line of its road."

"An act to make the records of deeds of the town of Kingston, county records."

"An act to amend the act entitled 'An act to authorise the laying out and opening of a public highway in the village of Canandaigua,' passed March 21, 1853."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received and read, informing that they had passed with the amendments therewith delivered, the following entitled bill:

"An act authorising the Canal Commissioners to build a bridge across the Clark and Skinner canal at Perry street, in the city of Buffalo."

Said amendments having been read,

Mr. Babcock moved that the Senate concur therein.

Mr. Wright moved to lay said bill on the table.

Debate was had thereon, when

Mr. Wright withdrew his said motion.

Debate was had thereon, when

Mr. Wright again moved to lay said bill upon the table.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley

Rogers

Snow

Wright

4

FOR THE NEGATIVE.

Babcock	Huntington	Munroe	Platt	VanSchoonhoven
Bennett	Jones	Newcomb	Upham	Ward
Conger	Kirby	Otis	Vanderbilt	Williams
Cornell	McElwain	Pierce		

18

The President then put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	Kirby	Otis	Upham
Bennett	Davenport	McElwain	Pierce	Vanderbilt
Bristol	Huntington	Munroe	Platt	Williams
Conger	Jones	Newcomb	Taber	

19

FOR THE NEGATIVE.

Cooley	Rogers	Wright		
--------	--------	--------	--	--

3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in said amendments.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill :

"An act to authorise the corporation of the Second Methodist Episcopal church in the city of New-York, to hold certain lands for the purpose of a cemetery."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bennett	Cornell	Kirby	Platt	Upham
Bristol	Davenport	McElwain	Rogers	Ward
Conger	Huntington	Munroe	Smith	Wright
Cooley	Jones	Otis	Snow	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill :

"An act to amend an act entitled 'An act relative to plank roads,' passed April 15, 1853."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	Kirby	Otis	Snow	
Bennett	Davenport	McElwain	Platt	Taber	
Bristol	Huntington	Munroe	Rogers	Upham	
Conger	Jones	Newcomb	Smith	Ward	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act to amend an act entitled 'An act to regulate the compensation of the assessors of the street department of the city of New-York,' passed July 9, 1851."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Otis	Taber	
Bennett	Davenport	McElwain	Pierce	Upham	
Bristol	Huntington	Munroe	Platt	Ward	
Conger	Jones	Newcomb	Snow	Wright	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the said amendments.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Binghamton,' passed April 12, 1853."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Huntington	Munroe	Platt	Taber	
Bennett	Jones	Newcomb	Rogers	Upham	
Bristol	Kirby	Otis	Smith	Ward	
Conger	McElwain	Pierce	Snow	Wright	
Davenport					21

Ordered. That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act to amend an act entitled 'An act to incorporate the village of Perry,' passed April 17, 1830."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cornell	Kirby	Otis	Taber
Bennett	Davenport	McElwain	Platt	Upham
Bristol	Huntington	Munroe	Snow	Ward
Conger	Jones	Newcomb		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill :

"An act to simplify the manner of collecting arrears of taxes and assessments and regular rents of croton water in the city and county of New-York."

Said amendments having been read,

On motion of Mr. Beekman, said bill and amendments were referred to the Senators from the fourth, fifth and sixth districts.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill :

"An act to amend the existing law in relation to bribery."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	Munroe	Smith	VanSchoonhoven
Beekman	Jones	Newcomb	Snow	Ward
Bristol	Kirby	Otis	Taber	Williams
Conger	McElwain	Platt	Upham	Wright
Cornell	Morgan	Rogers	Vanderbilt	

24

FOR THE NEGATIVE.

Huntington

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A communication was received from the Auditor of the Canal Department, which was, on motion of Mr. Pierce, referred to the select committee having in charge the canal appropriation bills.

By unanimous consent,

Mr. McElwain called for the consideration of the following concurrent resolution:

Resolved, (If the Assembly concur,) That one copy of the laws, documents, and other publications, authorised by the Legislature of this State, be placed in the library of the New-York State Agricultural College, inclusive of one copy of any books heretofore printed and not otherwise appropriated.

The President put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to provide for certain expenses of government."

"An act to increase the compensation of persons in the employ of the State," and, after some time spent therein, Mr. Wright, from said committee, reported that they had considered said several bills, and had made some progress therein, and asked for and obtained leave to sit again.

A communication was received from the citizens of Lyons inviting the Senate to participate in the celebration of the approaching anniversary of American Independence, which was ordered laid on the table.

The concurrent resolution adopted by the Senate on the 28th, in reference to the final adjournment of the Legislature, was received back from the Assembly with notice of non-concurrence therein.

A resolution from the Assembly was received and read, in the words following, to wit:

Resolved, (If the Senate concur,) That when the Legislature adjourns on Friday, the first day of July, it will adjourn to meet again on Tuesday, the fifth day of July, at 12 o'clock.

By unanimous consent,

Mr. McElwain, from the select committee, to which was referred the Assembly bill entitled "An act to authorise any town in the counties of Wyoming and Cattaraugus, to subscribe for the stock of the Attica and Allegany Valley railroad company, and to issue bonds of said town to said company in payment for the same," with power to report complete, so reported.

The President announced the question to be on agreeing with the committee in said report.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bennett
Bristol

Cooley
Huntington

McElwain
Newcomb

Rogers
Smith

Snow
Wright

10

FOR THE NEGATIVE.

Babcock
Conger
CornellDavenport
JonesMunroe
OtisPierce
PlattUpham
Vanderbilt

11

The hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

Mr. Upham moved that the special order be postponed until to-morrow, immediately after the reports of committees.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman
Bennett
CooleyHuntington
MorganMunroe
NewcombPlatt
SnowUpham
Vanderbilt

11

FOR THE NEGATIVE.

Babcock
Conger

Cornell

Jones

McElwain

Otis

6

Mr. Cooley, from the select committee, to which was referred the bill entitled "An act regulating the rate of interest on the loan or forbearance of money," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Beekman, from the select committee, to which was referred the bill entitled "An act to simplify the manner of collecting arrears of taxes, assessments, and regular rents of croton water in the city and county of New-York," together with the amendments of the Assembly thereto, reported in favor of the passage of said bill.

By unanimous consent,

Said bill was laid upon the table.

Mr. Morgan, from the select committee, to which was referred the Assembly bill entitled "An act to enable the supervisors of the city of New-York, to raise money by tax," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the punishment of assault with deadly weapons," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to release the interest of the people of this State, in certain lands to Elizabeth Baron, and to authorise her to hold and convey the same," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Upham called for the consideration of the question of agreeing to the report of the select committee on the bill entitled "An act to incorporate the Niagara ship canal company."

The President announced the question to be on the motion of Mr. Babcock, to strike out the name of "George W. Holley," and insert that of "James L. Barton."

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Jones	McElwain	Munroe	Otis	8
Conger					

FOR THE NEGATIVE.

Beekman	Davenport	Morgan	Platt	Upham	
Bristol	Huntington	Newcomb	Snow	Vanderbilt	11
Cooley					

Mr. Babcock moved to strike out in the first section, second line, the name of "Sanford E. Church."

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Cornell	Jones	Otis	5
---------	--------	---------	-------	------	---

FOR THE NEGATIVE.

Beekman	Cooley	Morgan	Rogers	Vanderbilt	
Bennett	Davenport	Newcomb	Snow	Wright	14
Bristol	Huntington	Platt	Upham		

Mr. Babcock moved further to amend, by inserting after the word "week" the words "for four weeks successively."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock moved further to amend, as follows: "In section three, line two, strike out 'may' and insert 'shall.' Strike out lines twelve and thirteen, and insert 'said stock among the subscribers, pro rata, according to the amount by them respectively subscribed.'"

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Newcomb	Wright	
Conger	Jones				7

FOR THE NEGATIVE.

Bennett	Huntington	Pierce	Rogers	Upham	
Bristol	Morgan	Platt	Snow	VanSchoonhoven	11
Cooley					

Mr. Babcock moved further to amend, by adding to section three, the words "no subscription shall be valid, unless five per cent shall be paid thereon in cash, at the time of subscribing."

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Jones	Munroe	Newcomb	Wright	
Conger	McElwain				7

FOR THE NEGATIVE.

Bennett	Morgan	Snow	Upham	VanSchoonhoven	
Bristol	Platt	Taber	Vanderbilt	Ward	12
Huntington	Rogers				

Mr. Babcock moved further to amend, by striking out the 23d section of said bill, and called for the ayes and noes.

Debate was had thereon, when

Mr. Pierce moved that the Senate do now adjourn.

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Newcomb	VanSchoonhoven	
Beckman	Jones	Munroe	Pierce		9

FOR THE NEGATIVE.

Beach	Cooley	McElwain	Platt	Upham	
Bennett	Davenport	Morgan	Rogers	Ward	
Bristol	Huntington	Otis	Snow	Wright	15

Mr. Babcock then withdrew his motion to strike out the 23d section.

The President then put the question on agreeing with the report of the committee as amended, and it was decided in the affirmative.

Ordered, That said bill do have its third reading.

On motion of Mr. Babcock,

The Senate adjourned to 10 o'clock, a. m., to-morrow.

FRIDAY, JULY 1, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Post.

The journal of yesterday was read and approved.

Mr. Pierce presented three several remonstrances of citizens of the village of Kingston, Ulster co., against an amendment of the village charter, which were laid on the table.

Mr. Ward presented a remonstrance of citizens of New-York city, against the passage of the Catholic bill, which was laid on the table.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act defining the limits to the jail in the city of Utica, in and for the county of Oneida,' passed March 23, 1853," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Ward, from the committee on the internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act declaring Beaver river a public highway, and regulating the passage of logs and timber down the same," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Conger, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the young men's association of Ogdensburgh," reported adversely.

The President announced the question to be on agreeing to the report of the committee on said bill.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	Jones	Pierce	VanSchoonhoven
Conger	Davenport	Kirby	Platt	9

FOR THE NEGATIVE.

Beach	Cooley	Newcomb	Upham	Ward
Beekman	Huntington	Rogers	Vanderbilt	Wright
Bristol	McElwain	Snow		13

Mr. Van Schoonhoven moved that said bill be recommitted to the committee on literature.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Vanderbilt, from the committee on roads and bridges, asked and obtained leave to introduce a bill entitled "An act in relation

to the Brooklyn, Flatbush, and Canarsie plank road company," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Munroe, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorise the Buffalo and New-York city railroad company, to construct a branch of their road from Burns to Dansville, with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Beekman, from the committee on literature, to which was referred the Assembly bill entitled "An act relating to the first baptist society of the town of Loraine, in the county of Jefferson, and to confirm the acts of the same and its officers," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Beach moved to take from the table the report of the committee on literature, on the bill entitled "An act to amend the charter of the Auburn female university."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on agreeing to the report of the committee on said bill.

Debate was had thereon, when

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Davenport	Jones	Kirby	
Conger					6

FOR THE NEGATIVE.

Babcock	Cooley	Munroe	Rogers	Vanderbilt	
Beach	Huntington	Newcomb	Snow	VanSchoonhoven	
Beekman	McElwain	Otis	Taber	Wright	
Bristol	Morgan	Platt	Upham		19

On motion of Mr. Beach,

Said bill was ordered engrossed for a third reading.

Mr. Jones called for the consideration of the concurrent resolution from the Assembly, referring the claim of David Jones, to the Commissioners of the Land Office, for negotiation and agreement.

Mr. Pierce moved to lay the same upon the table.

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Conger	Kirby	Munroe	Platt	
Beekman	Cornell	McElwain	Pierce	Wright	
Bristol	Davenport				12

FOR THE NEGATIVE.

Babcock	Huntington	Newcomb	Snow	VanSchoonhoven	
Bartlett	Jones	Otis	Taber	Williams	
Cooley	Morgan	Rogers	Vanderbilt		14

Debate was had thereon, when

Mr. Wright moved to lay said resolution on the table.

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Davenport	Munroe	Pierce	Vanderbilt	
Bristol	Kirby	Newcomb	Platt	Ward	
Conger	McElwain	Otis	Rogers	Wright	
Cornell					16

FOR THE NEGATIVE.

Babcock	Huntington	Jones	Snow	VanSchoonhoven	
Cooley					6

By unanimous consent,

Mr. Babcock presented two several petitions of citizens of Buffalo, for a law to incorporate companies to navigate the ocean, the lakes, rivers, and canals, by steam and otherwise, which were referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Rogers asked for and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend an act to provide for laying out and opening a road from Clinton co., to Carthage, in Jefferson co.,'" which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Pierce, from the select committee, to which were referred the bills entitled "An act appropriating money to the payment of canal debts and for other purposes," "An act appropriating ~~mon-~~neys to the Canal Fund, to be applied to the Erie canal enlargement, the Black river, the Genesee Valley, the Oswego, the Seneca and Cayuga, and Crooked lake canals," reported the same for the consideration of the Senate.

On motion of Mr. Pierce,

The said bills were made a special order, along with the supply bill, after reports of committees.

Mr. Beekman called for the consideration of the report of the select committee on the Assembly bill entitled "An act relative to the purchase, possession, and laying out of certain lands for a pub-

lic park in the 19th wards of the city of New-York, and the powers and duties of the mayor, aldermen and commonalty, relative thereto."

Debate was had thereon, when

Mr. Bartlett moved to make the question of agreeing to the report of the committee on said bill, a special order for Wednesday next, at eleven o'clock, a. m.

Mr. Morgan moved to amend, by making the same a special order for Thursday next, at eleven o'clock, a. m.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said motion of Mr. Bartlett, as amended, and it was decided in the affirmative.

A resolution from the Assembly was received and read, in the words following, to wit:

Resolved, (If the Senate concur,) That twenty copies of the "Documentary History" (each of the four volumes), be printed for the use of the members and officers of the Assembly.

Ordered, That said resolution be referred to the committee on public printing.

The President presented a communication from citizens of Albany, inviting the members of the Senate to participate with them in the coming anniversary of American Independence.

Mr. Upham called up the concurrent resolution from the Assembly, for a recess of the Legislature until Tuesday next, at 12 o'clock, m., and moved to amend the same, so that the recess be until Wednesday next, at 12 o'clock, m.

Mr. Jones called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Newcomb	Upham	
Beach	Cooley	Morgan	Platt	Ward	
Beeckman	Huntington	Munroe	Rogers	Wright	15

FOR THE NEGATIVE.

Bartlett	Cornell	Kirby	Pierce	Snow	
Conger	Jones	Otis			8

On motion of Mr. Morgan, and by unanimous consent,

Ordered, That the bill heretofore introduced by him, in relation to a central park in the city of New-York, with the several amendments proposed thereto, be printed in bill form.

The hour of a quarter to two o'clock, p. m. having arrived,

Mr. Cooley moved that the recess be postponed for five minutes.

The President announced the question to be on the concurrent resolution from the Assembly, as amended by Mr. Upham.

Mr. Otis moved further to amend the said resolution, so that the Legislature take a recess until the 26th day of December next, at 12 o'clock, m.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Otis	Wright	
Bartlett	Cooley	Munroe			8

FOR THE NEGATIVE.

Beach	Huntington	Newcomb	Rogers	Upham	
Beekman	Kirby	Pierce	Snow	Ward	
Conger	McElwain	Platt	Taber	Williams	
Cornell	Morgan				17

At ten minutes to 2 o'clock, p. m., the Senate took a recess until 4 o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The President announced the question before the Senate to be on the concurrent resolution from the Assembly, in relation to a recess until Tuesday next, as amended by the amendment of Mr. Upham.

Debate was had thereon, when

Mr. Cornell moved to lay the whole subject on the table, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Jones	Otis	Pierce	
Conger					6

FOR THE NEGATIVE.

Babcock	Cooley	Morgan	Rogers	VanSchoonhoven	
Beach	Huntington	Munroe	Taber	Ward	
Beekman	Kirby	Newcomb	Upham	Williams	
Bristol	McElwain	Platt	Vanderbilt	Wright	20

The President announced the question to be on the said resolution, as amended.

Debate was had thereon, when

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree

to the said resolution, as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Platt	VanSchoonhoven
Beach	Huntington	Morgan	Snow	Ward
Beckman	Kirby	Newcomb	Upham	Wright 15

FOR THE NEGATIVE.

Bartlett	Conger	Jones	Pierce	Vanderbilt
Bristol	Cornell	Otis	Taber	9

On motion of Mr. McElwain, and by unanimous consent,

The vote on agreeing to the report of the select committee, on the Assembly bill entitled "An act to authorise any towns in the counties of Wyoming and Cattaraugus, to subscribe for the stock of the Attica and Allegany Valley railroad company, and to issue bonds of said towns to said company, in payment for the same," was reconsidered, and

By unanimous consent,

Said report was laid upon the table.

On motion of Mr. Morgan, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of the engrossed bill from the Assembly, entitled "An act in relation to the Superior court and to the court of Common Pleas, and the Marine court of the city of New-York," and that said bill be ordered to a third reading.

On motion of Mr. Kirby, and by unanimous consent,

Resolved, That the bill (general orders No. 359), making appropriations for supplying the Western house of refuge with water, &c., be taken from the general orders, and referred to a select committee, with power to report the same complete.

The President appointed as such committee, Messrs. Kirby, Clark and Cornell.

The President announced the special order, it being the consideration of the bill entitled "An act to provide for certain expenses of government."

Mr. Cenger moved that the Senate do now go into a committee of the whole on said bill.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	McElwain	Otis	Taber
Bristol	Jones	Morgan	Pierce	Williams
Conger	Kirby			12

FOR THE NEGATIVE.

Beach	Huntington	Upham	VanSchoonhoven	Ward
Beckman	Snow			7

The Senate then resolved itself into a committee of the whole on said bill, together with three several other bills made a special order along with said bill.

And after some time spent thereon, Mr. Jones, from said committee, reported progress on said several bills, and asked and obtained leave to sit again.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the concurrent resolution for a recess of the Legislature.

By unanimous consent,

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the more effectual prevention of fires in the city of New-York, and to amend the acts heretofore passed for that purpose,' passed March 7, 1849," with power to report complete, so reported, and said bill was ordered to a third reading.

On motion of Mr. Morgan,

The Senate adjourned to 12 o'clock, m. on Wednesday next.

WEDNESDAY JULY 6, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. White.

The journal of Friday, (1st inst) was read and approved.

The President directed the Clerk to call the roll, when the following Senators answered to their names:

Babcock	Conger	Kirby	Snow	Vanderbilt
Bennett	Cooley	Pierce	Taber	VanSchoonhoven
Clark	Davenport	Smith		13

There being no quorum present,

Mr. Taber moved a call of the Senate.

Debate was had thereon, when

Mr. Van Schoonhoven moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate adjourned to ten o'clock, a. m., to-morrow.

THURSDAY, JULY 7, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Witherill.

The journal of yesterday was read and approved.

Mr. Williams presented the memorial of Girard Hallock and others, on the Catholic question, which was laid on the table.

Mr. Taber presented the petition of merchants of Albany, for a general law to provide for the incorporation of navigation companies, which was referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Clark asked and obtained leave to introduce a bill entitled "An act to authorise the trustees of the village of Canandaigua, to borrow the amount of money directed to be raised by taxation, and to provide for a contingent fund," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

By unanimous consent,

Mr. Morgan asked and obtained leave to introduce a bill entitled "An act authorising the congregation Shaari Rochmim, to increase the number of its trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Taber asked and obtained leave to introduce a bill entitled "An act in relation to Surrogates' courts held by county judges," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act in relation to the Brooklyn, Flatbush and Canarsie plank road company."

"An act regulating the rate of interest on the loan or forbearance of money."

"An act to amend an act to authorise the construction of draw-bridges over the Flushing and Newtown creeks, in the counties of Queens and Kings, passed April 11, 1853."

"An act to amend the act for the protection of emigrant passengers arriving at the city of New-York, passed April 13, 1853."

"An act to incorporate Leffert's park association."

Ordered, That said bills do have their third reading.

The bill entitled "An act to authorise Job Lea, to take and hold real estate in the city of New-York," was read a third time, when

By unanimous consent,

Said bill was amended as follows: by striking out the word "purchased" in the fourth line of the first section, and inserting in lieu the words "contracted to purchase."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Morgan	Pierce	Snow
Bennett	Huntington	Newcomb	Platt	Taber
Clark	Jones	Otis	Smith	Williams
Cooley	Kirby			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the Grocers' steam sugar refining company of New-York, to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Kirby	Otis	Snow
Bennett	Davenport	Morgan	Platt	Taber
Clark	Huntington	Newcomb	Smith	Williams
Conger	Jones			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorise the county court of Dutchess county, to appoint a crier of the courts of record, to be held in and for said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bennett	Huntington	Newcomb	Smith	VanSchoonhoven
Conger	Jones	Otis	Snow	Williams
Cooley	Kirby	Pierce	Taber	Wright
Davenport	Morgan	Platt		

18

FOR THE NEGATIVE.

Babcock Clark

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the trustees of the Milton Center society, of the town of Lansing, county of Tompkins, to sell a portion of their property," was read a third time, when

On motion of Mr. Babcock,

Said bill was referred to the committee on charitable and religious societies, with instructions to amend the same, so as to provide for the equal distribution of the proceeds of the sale between the two religious societies that have been formed from the one now owning the property.

The Assembly bill entitled "An act to enable the supervisors of the city and county of New-York, to raise money by tax," was read a third time, when

By unanimous consent,

Said bill was amended, by striking out the word "eighty" in the eighth line of the first section, and inserting the word "forty" in lieu thereof.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Otis	Taber
Bartlett	Cooley	Kirby	Platt	VanSchoonhoven
Bennett	Davenport	Morgan	Smith	Williams
Clark	Huntington	Newcomb	Snow	Wright 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

The Assembly bill, entitled "An act to incorporate a cemetery in East McDonough, in the county of Chenango," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Newcomb	Smith	VanSchoonhoven
Bennett	Huntington	Otis	Snow	Williams
Clark	Kirby	Platt	Taber	Wright
Cooley	Morgan			17

FOR THE NEGATIVE.

Conger	Jones
--------	-------

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The President announced the special order, it being the consideration of the bill for establishing "Jones' Woods' park."

Mr. Bartlett moved that the consideration of said bill be postponed until to-morrow at 11 o'clock, a. m., and made a special order at that time.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger moved to lay the present order of business (the third reading of bills), on the table, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Otis	Smith	
Bartlett	Davenport	Kirby	Pierce		9

FOR THE NEGATIVE.

Beach	Cooley	Platt	Taber	Williams	
Bennett	Morgan	Snow	VanSchoonhoven	Wright	12
Clark	Newcomb				

The Assembly bill entitled "An act to authorise the New-York Baptist Union for ministerial education to increase the number of trustees," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Otis	Taber	
Bartlett	Cooley	Kirby	Pierce	Williams	
Beach	Davenport	Morgan	Platt	Wright	
Bennett	Huntington	Newcomb	Snow		19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act to incorporate the Montezuma turnpike and bridge company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Cooley	Jones	Otis	Snow
Beekman	Cornell	Kirby	Platt	Taber
Bennett	Davenport	Morgan	Smith	Williams
Clark	Huntington	Newcomb		

18

FOR THE NEGATIVE.

Babcock	Wright			
---------	--------	--	--	--

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act in relation to violations of ordinances made by the mayor, aldermen and commonalty of the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	Morgan	Platt	Upham
Beekman	Huntington	Newcomb	Smith	Williams
Bennett	Jones	Otis	Taber	Wright
Cooley	Kirby			

17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to confirm the official acts of James Creighton, a justice of the peace," was read a third time, when

By unanimous consent,

Said bill was amended, by striking out the word "fifteen" in the third line of the second section, and inserting the word "thirty," in lieu thereof.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Otis	Taber
Bartlett	Cooley	Kirby	Platt	Upham
Beach	Davenport	Morgan	Smith	Williams
Beekman	Huntington	Newcomb	Snow	Wright
Bennett				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

The Assembly bill entitled "An act to allow the Chemung Valley bridge company, in the county of Chemung, to alter the plan of their bridge," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Morgan	Platt	Taber
Beach	Davenport	Newcomb	Smith	Upham
Beckman	Huntington	Otis	Snow	Williams
Bennett	Kirby			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment

The Assembly bill, entitled "An act authorising the election of a street commissioner in the village of Hornellsville, and for other purposes," was read a third time, when

By unanimous consent,

The title was amended, so as to read as follows: "An act in relation to highways, streets and bridges, in the village of Hornellsville, in the county of Steuben."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Kirby	Pierce	Taber
Beach	Davenport	Morgan	Platt	Upham
Beckman	Huntington	Newcomb	Smith	Williams
Bennett	Jones	Otis	Snow	Wright
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

The bill entitled "An act to incorporate the village of Newark," was read a third time, when

By unanimous consent,

The title was amended, so as to read as follows: "An act to extend the boundaries, and change the name of the village of Arcadia, to that of Newark."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Pierce	Taber
Bartlett	Conger	Kirby	Platt	Upham
Beach	Cooley	Morgan	Smith	Williams
Beekman	Davenport	Newcomb	Snow	Wright
Bennett	Huntington	Otis		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the act incorporating the village of Phoenix, in the county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Otis	Taber
Bartlett	Cooley	Kirby	Platt	Upham
Beekman	Davenport	Morgan	Smith	Williams
Bennett	Huntington	Newcomb	Snow	Wright
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to release the Cedarville and Schuyler's lake plank road company, from the construction of a part of their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Newcomb	Taber
Bartlett	Conger	Jones	Otis	Upham
Beekman	Cooley	Kirby	Smith	Wright
Bennett	Davenport	Morgan	Snow	

19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Upham, and by unanimous consent,

The Assembly bill entitled "An act to authorise a loan to the county of Orleans, for the purpose of building a bridge across Oak Orchard creek, in the town of Carlton, in the county of Orleans," was referred to a select committee, with power to amend and report the same complete, forthwith.

The President appointed as such committee, Messrs. Upham, Conger and Kirby.

The Assembly bill, entitled "An act to authorise the Buffalo and New-York city railroad company to construct a branch of their road from Burns to Dansville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bennett	Jones	Otis	Taber
Bartlett	Clark	Kirby	Smith	Upham
Beach	Cooley	Newcomb	Snow	Wright
Beckman	Huntington			

17

FOR THE NEGATIVE.

Conger 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act defining the limits to the jail in the city of Utica, in and for the county of Oneida,' passed March 23, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Platt	Upham
Bartlett	Davenport	Morgan	Smith	Williams
Beckman	Huntington	Newcomb	Snow	Wright
Bennett	Jones	Otis		

18

FOR THE NEGATIVE.

Conger 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act in relation to highways and bridges," was read a third time, when

By unanimous consent,

Said bill was amended by adding to the title, the words "in the county of Montgomery," and by striking out the words "this State" in the third line of the first section, and inserting the words "the county of Montgomery."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Pierce	Taber
Bartlett	Cooley	Morgan	Platt	VanSchoonhoven
Beekman	Davenport	Newcomb	Smith	Williams
Bennett	Huntington	Otis	Snow	Wright
Clark	Jones			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled, "An act to amend an act to authorise the construction of draw-bridges over the Flushing and Newtown creeks in the counties of Queens and Kings, passed April 11, 1853," was read a third time, when

By unanimous consent,

Mr. Otis, on behalf of Mr. Vanderbilt, presented the remonstrance of Peter Cooper and others, against any additional draw-bridges over Newtown creek, which was laid on the table.

Mr. Bennett presented the remonstrance of John Van Coll and others, on the same subject, which was laid upon the table.

On motion of Mr. Conger,

Said bill was recommitted to the committee on roads and bridges, with power to report the same complete.

The Assembly bill entitled "An act in relation to the punishment of crime in certain cases, and allowing the confinement of certain criminals in the Albany county penitentiary," was read a third time, when a motion was made to recommit.

Debate was had thereon, when

Mr. Van Schoonhoven moved to lay the same upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Mr. Van Schoonhoven moved to recommit to the committee on the judiciary, with instructions to inquire if the provisions of said bill can be made applicable to the whole State.

Debate was had thereon, when

The hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Van Schoonhoven asked for and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to facilitate the service of process in certain cases,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The President announced the question before the Senate, to be on recommitting the bill entitled "An act in relation to the pun-

ishment of crimes in certain cases, and allowing the confinement of certain criminals in the Albany county penitentiary," to the committee on the judiciary, with the instructions as proposed by Mr. Van Schoonhoven.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to recommit said bill, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Newcomb	Pierce	VanSchoonhoven	6
Beekman					

FOR THE NEGATIVE.

Beach	Huntington	Morgan	Snow	Vanderbilt	
Bennett	Jones	Otis	Taber	Williams	13
Clark	Kirby	Platt			

Mr. Conger moved to recommit said bill to the committee on the judiciary, with instructions to insert after the word "discretion" in the first section, the following: "to be exercised with reference to the reformation of such convict."

Debate was had thereon, when

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Cooley	Pierce	VanSchoonhoven	Williams	7
Conger	Newcomb				

FOR THE NEGATIVE.

Babcock	Clark	Jones	Otis	Taber	
Bennett	Huntington	Kirby	Platt	Wright	10

Mr. Van Schoonhoven then moved to recommit to the committee on the judiciary, with instructions to report the following amendment to said bill, as an additional section :

Any surplus earnings of convicts, so sent to said penitentiary for the third district, after defraying the expenses of said convicts, for the proceeds of their labor, shall, at the expiration of their term of imprisonment, be accounted for and paid over to said convicts, their families or relatives.

Debate was had thereon, when

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Cooley	Newcomb	Snow	VanSchoonhoven	8
Conger	Huntington	Pierce			

FOR THE NEGATIVE.

Babcock
Bennett
Clark

Davenport
Jones

Kirby
Morgan

Otis
Platt

Taber
Wright

11

Mr. Cooley moved to reconsider the vote just taken, and that such motion lay upon the table.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

Mr. Vanderbilt offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the canal bill, the supply bill, and the bill to provide means to support government, be made the special order to-morrow morning, at half-past 12 o'clock, p. m., and that the same be the special order, until disposed of by the Senate.

Mr. Conger moved to amend, by making said bills a special order for to-morrow, immediately after the reports of standing committees; and that the "Jones' Wood" park bill, be made a special order immediately after said bills are disposed of, instead of 11 o'clock, a. m., to-morrow.

Mr. Vanderbilt accepted of said amendment.

Mr. Beekman called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock
Conger
Cooley

Davenport
Huntington
Jones

Kirby
Pierce
Platt

Smith
Vanderbilt

VanSchoonhoven
Williams

13

FOR THE NEGATIVE.

Beach
Beekman

Bennett
Morgan

Otis

Taber

Ward

7

The bill entitled "An act in relation to Surrogates' courts held by county judges," was read a third time, when

By unanimous consent,

Said bill was amended, by inserting the word "acting" immediately before the word "Surrogate," in the sixth line of the first section of said bill.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock
Bartlett
Beach
Beekman

Clark
Conger
Huntington
Jones

Kirby
Morgan
Newcomb
Otis

Pierce
Platt
Smith

Snow
Taber
Vanderbilt

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorise the town of Sterling, in the county of Cayuga, to borrow money, and to tax the town for the payment of the same,' passed June 23, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Beach	Huntington	Newcomb	Smith	VanSchoonhoven
Beckman	Jones	Otis	Snow	Ward
Bennett	Kirby	Pierce	Taber	Williams
Clark	Morgan	Platt	Vanderbilt	19

FOR THE NEGATIVE.

Babcock	Conger	2
---------	--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in relation to the Superior court, and to the court of Common Pleas, and the Marine court for the city of New-York," was read a third time, when

By unanimous consent,

Said bill was amended, by inserting after the figures "1849" in the fourth line of the first section, as follows: "passed July 10, 1851;" by striking out the words "and the said court" in the sixth line of the said section, and inserting the words "and the said courts," after the word "city" in the seventh line of said section.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Otis	Taber
Beach	Conger	Kirby	Pierce	Vanderbilt
Beckman	Davenport	Morgan	Smith	Ward
Bennett	Huntington	Newcomb	Snow	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

Mr. Kirby, from the select committee, to which was referred the Assembly bill entitled "An act to authorise a loan to the county of Orleans, for the purpose of building a bridge across

Oak Orchard creek, in the town of Carlton, in the county of Orleans," with power to report complete, so reported, and said bill was ordered to a third reading.

The bill entitled "An act to authorise a more speedy trial and termination of a certain suit pending against the people of this State, and others," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bennett	Newcomb	Platt	Taber
Bartlett	Clark	Otis	Smith	Vanderbilt
Beach	Kirby	Pierce	Snow	Ward
Beekman				

16

FOR THE NEGATIVE.

Conger	Huntington	Jones	Morgan	Williams
Davenport				

6

Mr. Babcock moved that the vote just taken be reconsidered.

Debate was had thereon, when

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock then moved to lay said bill upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Otis,

The Senate adjourned to ten o'clock, a. m., to morrow.

FRIDAY, JULY 8, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Noethen.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Babcock moved that the vote on the final passage of the bill entitled "An act in relation to Surrogates' courts held by county judges," be reconsidered.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

Said bill was then amended, by striking out the word "acting" before the word "Surrogate," between the fifth and sixth lines of the first section, as inserted yesterday on the motion of Babcock.

By unanimous consent,

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Platt	Upham
Bartlett	Davenport	Munroe	Smith	Vanderbilt
Beach	Huntington	Newcomb	Snow	Williams
Beekman	Jones	Otis	Taber	Wright
Clark	Kirby			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Cooley presented the memorial of Peter Cooper, Grinnell, Minturn & Co., and others of the city of New-York, asking that an enquiry may be instituted in relation to the late election of trustees and president of the New-York life insurance company, and for the prompt action of the legislature in the premises, which was referred to the committee on banks and insurance companies.

Mr. Williams presented the memorial of Wm. T. Lawrence, and other citizens of Tompkins co., for an amendment of the Constitution so as to prohibit distinction in the distribution of public money for school or educational purposes, which was referred to the committee on literature.

Mr. Pierce presented the remonstrance of citizens of the town of Kingston, against the Kingston charter, which was laid on the table.

Mr. Newcomb presented the memorial of Samuel Nicholson, Alfred Pell and others, in relation to the New-York mutual life insurance company, and the immediate passage of the law for the better protection of investments in incorporated companies, which was referred to the committee on banks and insurance companies.

Mr. Babcock presented the remonstrance of citizens of the State of New-York, against the passage of the Roman Catholic bill, so called, which was laid upon the table.

Mr. Beekman presented the memorial of John A. Stevens and others, in relation to the New-York mutual life insurance company, and for the immediate passage of the law for the better protection of investments in incorporated companies, which was referred to the committee on banks and insurance companies.

Mr. Beekman presented the memorial of Walter R. Jones and others, on the same subject, which was referred to the committee on banks and insurance companies.

Mr. Beekman presented the remonstrance of W. H. Chapman and others, against the passage of the Catholic bill, so called, which was laid upon the table.

By unanimous consent,

Mr. Beekman asked and obtained leave to introduce a bill entitled "An act to prevent surprises at elections of managers or trustees of monied institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to authorise the trustees of the village of Canandaigua, to borrow the amount of money directed to be raised by taxation, and to provide for a contingent fund," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

Mr. Vanderbilt, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act to authorise the construction of draw-bridges over the Flushing and Newtown creeks, in the counties of Queens and Kings," passed April 11, 1853," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Taber, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to authorise the congregation Shaari Rochmim, to increase the number of its trustees," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Taber, from the committee on charitable and religious societies, to which was recommitted the Assembly bill entitled "An act to authorise the trustees of the Milton Center society of the town of Lansing, county of Tompkins, to sell a portion of their property," with instructions to report complete, so reported.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Babcock, from the committee on public printing, to which was referred the concurrent resolution from the Assembly, authorising the printing and furnishing members and officers of the Assembly with twenty copies each of the four volumes of the Documentary History, reported adversely.

Mr. Wright moved that said report be not concurred in, and called for the ayes and noes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Pierce	Taber
Bartlett	Cooley	Manroe	Platt	Upham
Beach	Davenport	Newcomb	Rogers	Vanderbilt
Beekman	Huntington	Otis	Smith	Williams
Bennett	Jones			

FOR THE NEGATIVE.

Clark

Snow

Wright

3

Mr. Conger, from the committee on finance, made a report in writing for the consideration of the Senate, which was laid upon the table.

Mr. Clark, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to the Palmyra and Pultneyville plank road company," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act in relation to the Elmira and Southport bridge company, incorporated by an act of the Legislature, April 16, 1823," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the Havana and Newfield plank road company to erect a toll gate at or near Odessa," with power to report complete, so reported, and said bill was ordered to a third reading.

On motion of Mr. Ward, and by unanimous consent,

The Assembly bill entitled "An act to authorise any town in the counties of Wyoming and Cattaraugus, to subscribe for the stock of the Attica and Allegany Valley railroad company, and to issue bonds of said towns to said company in payment for the same," was taken from the table.

The President announced the question to be on the reconsideration of the vote on the final passage of said bill.

On motion of Mr. Ward, and by unanimous consent,

Said bill was then recommitted to the committee on the internal affairs of towns and counties, with power to report the same complete.

On motion of Mr. Munroe, and by unanimous consent,

Assembly bill, No. 258, to provide for the draining of swamp lands in the town of Salina, was taken from the committee of the whole and ordered to a third reading.

By unanimous consent,

Mr. Newcomb asked and obtained leave to introduce a bill entitled "An act to amend an act to provide for the incorporation of Fire insurance companies, passed June 25, 1853," which as read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks and insurance companies.

The President announced the special order.

The Senate then resolved itself into a committee of the whole, on the following entitled bills:

Assembly bill, "An act to provide for certain expenses of government."

Assembly bill, "An act appropriating moneys to the Canal Fund to be applied to the Erie canal enlargement, the Black River, the Genesee Valley, the Oswego, the Seneca and Cayuga, and Crooked Lake canals."

Assembly bill, "An act appropriating moneys to the payment of canal debts, and for other purposes."

Assembly bill, "An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads."

And after some time spent thereon, the hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole, on said bills under consideration at the time of recess :

And after some time spent thereon, Mr. Otis, from said committee reported progress on said bills, and asked and obtained leave to sit again.

A communication from the Governor was received and read in the words following, to wit :

EXECUTIVE DEPARTMENT, }
Albany, July 8, 1853. }

To the Senate and Assembly :

A committee of the directors of "The Association for the exhibition of the industry of all Nations," specially appointed for the purpose, have called on me to invite the Executive and the members of the Senate and Assembly, to be present at the opening of their building, in the city of New-York, on the 14th of July, inst. ; and I am requested to communicate the same to you.

The exhibition, it is believed, will be well worthy the advance of our country in the useful and ornamental arts. The friendly competition it will necessarily produce, and the comparisons that will be instituted between the productions in all branches of industry, of nearly all the enlightened nations of the earth, cannot fail to be interesting and instructive. Not only will foreign countries contribute largely to the exhibition, but foreign governments have manifested much interest in its success. The building is one of great architectural beauty, and with its varied contents must prove highly attractive and worthy of examination.

While your acceptance of this invitation will be gratifying to the directors of the Association, it will also manifest a desire on your part to encourage and sustain their noble effort to dignify labor by new exhibitions of the genius, industry and capacity of our country.

HORATIO SEYMOUR.

Mr. Conger moved that the Senate do now adjourn.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and the vote was as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Pierce	Smith	Vanderbilt	
Beekman	Cornell	Platt	Upham	Ward	
Clark	Jones				12

FOR THE NEGATIVE.

Beach	Huntington	Newcomb	Snow	VanSchoonhoven	
Bennett	Morgan	Otis	Taber	Wright	
Cooley	Munroe				12

There being a tie, the President gave the casting vote in the affirmative.

The Senate adjourned to 10 o'clock, a. m., to-morrow.

SATURDAY, JULY 9, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Rawson.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Taber offered the following concurrent resolution :

Resolved, (If the Assembly concur,) That the Legislature cordially unite with his Excellency, the Governor, in his appreciation of the deep interest and importance, both local and international, of the approaching exhibition of the industry of all Nations, at our commercial metropolis, and of the courteous invitation communicated to us in his message from the directors of the Association, to be present at its opening ; and that the invitation is accepted.

By unanimous consent,

The President put the question on the adoption of said resolution at this time, and it was decided in the affirmative.

The bill entitled "An act to amend the act to authorise the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and territories," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Jones	Newcomb	Smith	Upham
Beekman	Kirby	Otis	Snow	Vanderbilt
Bennett	Morgan	Platt	Taber	Ward
Clark	Munroe			

17

FOR THE NEGATIVE.

Babcock	Huntington
---------	------------

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence thereon.

On motion of Mr. Bennett and by unanimous consent,

Resolved, That on and after Monday next, the Senate will meet at 9 o'clock, a. m.

On motion of Mr. Upham, and by unanimous consent,

The Assembly bill entitled "An act to incorporate the Niagara ship canal company," was recommitted to the select committee, with power to report complete.

Mr. Beach presented the petition of citizens of New-York, in favor of repealing the law requiring weekly statements of the banks of the city of New-York, which was referred to the committee on banks and insurance companies

The President announced the special order.

The Senate then resolved itself into a committee of the whole, on the following entitled bills:

Assembly bill, "An act to provide for certain expenses of government."

Assembly bill, "An act appropriating moneys to the Canal Fund, to be applied to the Erie canal enlargement, the Black River, the Genesee Valley, the Oswego, the Seneca and Cayuga, and Crooked Lake canals."

Assembly bill, "An act appropriating moneys to the payment of canal debts, and for other purposes."

Assembly bill, "An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads."

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

A resolution from the Assembly was received and read, in the words following, to wit:

Resolved, (If the Senate concur,) That this Legislature will adjourn on Wednesday, the 13th inst., at 2 o'clock, p. m., sine die.

By unanimous consent,

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Munroe	Upham
Bartlett	Conger	Jones	Newcomb	VanSchoonhoven

Beach	Cooley	Kirby	Otis	Williams	
Bennett	Davenport	Morgan	Taber	Wright	20

FOR THE NEGATIVE.

Platt	Smith	Snow	Vanderbilt	4
-------	-------	------	------------	---

By unanimous consent,

The bill entitled "An act to amend title six, of chapter seven, of part one of the Revised Statutes," was read a third time, when

By unanimous consent,

Said bill was amended, by striking out the word "five" in the twelfth line of the fourth section, and inserting the word "three."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Rogers	Vanderbilt	
Bartlett	Cornell	Munroe	Smith	Van Schoonhoven	
Beach	Davenport	Newcomb	Snow	Williams	
Clark	Jones	Otis	Taber	Wright	
Conger	Kirby	Platt	Upham		24

FOR THE NEGATIVE.

Huntington	1
------------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the bill entitled "An act to amend an act to provide for the incorporation of Fire insurance companies, passed June 25, 1853," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

The hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Upham, from the select committee, to which was recommended the bill entitled "An act to incorporate the Niagara ship canal company," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Kirby, from the select committee, to which was referred the Assembly bill entitled "An act making appropriations for supplying the Western house of refuge with water, and for other purposes," with power to report complete, so reported, and said bill was ordered to a third reading.

On motion of Mr. Van Schoonhoven, and by unanimous consent, the Assembly bill entitled "An act to provide for the completion of the tax roll, when it shall have been omitted at the annual meeting of the board of supervisors," was amended by the following additional section:

§ 3. Any supervisor in any county of this State, feeling himself or his constituents aggrieved by any decision of the board of supervisors of such county, in equalizing or adjusting the taxes of the county, or of any town or towns therein, or in establishing, increasing or diminishing the valuation, or valuations of real-estate in any town or towns, ward or wards of any city, in such county, pursuant to existing laws, may appeal from such decision, equalization, or valuation, to any judge or justice of the Supreme Court of this State, in any judicial district, adjoining that in which said county is located, in which such board may have made such decision; which judge or justice is hereby authorized and required to hear and determine such appeal, and to affirm, reverse, or modify the same, or to make such orders as he may deem just and proper in the premises, upon the hearing thereof; such judge or justice, in all cases, causing proper notice of such appeal and hearing, and of the time and place thereof, to be served on the chairman, or secretary, or clerk of such board of supervisors. Such appeal or hearing may be heard before such judge or justice at chambers or at term; and until decision be entered thereon, all proceedings relative to said equalization or valuation, on the part of said board of supervisors, shall be stayed. The legal costs and disbursements growing out of said appeal, shall be paid by such party, and to such amount as said judge or justice shall adjudge just and equitable.

By unanimous consent,

The Assembly bill entitled "An act to authorize a loan to the county of Orleans, for the purpose of building a bridge across the Oak Orchard creek, in the town of Carlton, in the county of Orleans," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Rogers	Vanderbilt	
Bartlett	Davenport	Munroe	Smith	Ward	
Clark	Huntington	Otis	Taber	Williams	
Conger	Kirby	Platt	Upham	Wright	20

FOR THE NEGATIVE.

Cornell

Jones

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Morgan offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend an act to provide for the incorporation of Fire insurance companies, passed June 25, 1853," and that said bill be now read a third time.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Rogers	Vanderbilt	
Bartlett	Davenport	Morgan	Smith	Ward	
Clark	Huntington	Munroe	Taber	Williams	
Conger	Jones	Otis	Upham	Wright	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Clark, from the committee on engrossed bills, reported as correctly engrossed the following entitled bills:

"An act to authorise the trustees of the village of Canandaigua, to borrow the amount of money directed to be raised by taxation, and to provide for a contingent fund."

"An act authorising the congregation Shaari Rochmim, to increase the number of its trustees."

Ordered, That said bills do have their third reading.

By unanimous consent,

The bill entitled "An act authorising the congregation Shaari Rochmim, to increase the number of its trustees," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Kirby	Rogers	Vanderbilt	
Bartlett	Davenport	Morgan	Smith	Ward	
Clark	Huntington	Munroe	Taber	Wright	
Conger	Jones	Otis	Upham		10

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. Vanderbilt offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the vote agreeing to an adjournment, be reconsidered, and that the motion lie on the table.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

By unanimous consent,

The bill entitled "An act to amend an act entitled 'An act to provide for laying out and opening a road from Clinton county, to Carthage, in Jefferson co.,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Kirby	Rogers	Vanderbilt
Beach	Cornell	Munroe	Smith	Ward
Clark	Davenport	Otis	Taber	Wright
Conger	Huntington	Platt	Upham	

19

FOR THE NEGATIVE.

Williams

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act to provide for certain expenses of government."

"An act appropriating moneys to the Canal Fund, to be applied to the Erie canal enlargement, the Black River, the Genesee Valley, the Oswego, the Seneca and Cayuga, and Crooked lake canals."

"An act appropriating moneys to the payment of canal debts, and for other purposes."

"An act to provide means to pay State debts, to support the Government, and to carry on the public works by taxes and by tolls on railroads."

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

On motion of Mr. Vanderbilt,

The Senate adjourned to nine o'clock, a. m. Monday.

MONDAY, JULY 11, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Pohlman.

The Journal of Saturday was read and approved.

The President announced the special order.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

Assembly bill, "An act to provide for certain expenses of government."

Assembly bill, "An act appropriating moneys to the Canal Fund, to be applied to the Erie canal enlargement, the Black River, the Genesee Valley, the Oswego, the Seneca and Cayuga, and Crooked Lake canals."

Assembly bill, "An act appropriating moneys to the payment of canal debts and for other purposes."

Assembly bill entitled "An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads."

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

At a quarter to two o'clock, p. m., the Senate took a recess to four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

A message from the Assembly was received and read, informing that they had concurred in the concurrent resolution from the Senate, accepting the invitation tendered through the Governor, in behalf of the directors of the Association, to visit the opening of the exhibition of the industry of all Nations.

A resolution from the Assembly was received and read, in the words following, to wit:

Resolved, (If the Senate concur,) That a joint committee of three on the part of the House, and two on the part of the Senate, be appointed to make the necessary arrangements for attending the opening of the exhibition of the industry of all Nations, at New-York, on the 14th inst., in a manner suitable to the importance of the occasion, and the dignity of the State.

Mr. Taber moved to amend, as follows: Strike out "to make" after "appointed," and insert "to cooperate with his Excellency

the Governor, in making;" add at the end "and that a copy of these resolutions be communicated to the Governor."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger moved the following amendment, to be added to the end of said resolution: "to take effect, provided the Legislature finally adjourns on Wednesday."

Mr. Morgan moved to postpone, until after the question of the final adjournment of the Legislature, now before the Senate, be disposed of.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Huntington	Newcomb	Taber
Bartlett	Conger	Jones	Otis	Vanderbilt
Beach	Davenport	Morgan	Platt	Williams

15

FOR THE NEGATIVE.

Clark	Kirby	Rogers	Snow	VanSchoonhoven
Cooley	McElwain	Smith	Upham	Wright

10

Mr. Bartlett moved to take from the table the question of reconsidering the vote on the concurrent resolution from the Assembly, for the final adjournment of the Legislature.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on reconsidering the vote of the Senate, on the adoption of said resolution.

Debate was had thereon, when

Mr. Bennett moved to lay the same on the table.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Platt	Williams
Bennett	Davenport	Jones	Smith	

9

FOR THE NEGATIVE.

Bartlett	Cooley	Newcomb	Snow	Vanderbilt
Beach	Kirby	Otis	Taber	VanSchoonhoven
Beckman	McElwain	Rogers	Upham	Wright
Clark	Morgan			

17

The President again announced the question to be on the reconsideration.

Mr. Bartlett called for the ayes and noes.

The President put the question whether the Senate would agree to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Cooley	Platt	Snow	Vanderbilt
Bennett	Jones	Rogers	Upham	VanSchoonhoven
Clark	Kirby	Smith		13

FOR THE NEGATIVE.

Babcock	Davenport	Morgan	Otis	Williams
Bartlett	Huntington	Newcomb	Taber	Wright
Conger				11

Mr. Bennett moved that the Senate do now resolve itself into a committee of the whole on the several bills under consideration during the morning session.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bennett	Davenport	Platt	Snow	Vanderbilt
Cooley	Huntington	Smith		8

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Rogers	VanSchoonhoven
Bartlett	Conger	Morgan	Taber	Williams
Beach	Jones	Newcomb	Upham	Wright
Beekman	Kirby			17

The President announced the question to be on concurring in the resolution for an adjournment of the Legislature on Wednesday next.

Mr. Cooley moved to lay the same on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

Mr. Cooley asked and obtained leave to introduce a bill entitled "An act to establish free schools in district number one, in the towns of Castleton and Southfield," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent,

Mr. Jones presented the petition of trustees of water commissioners of the village of Newburgh, for authority to raise additional loans.

By unanimous consent,

Mr. Jones asked and obtained leave to introduce a bill entitled "An act authorising the trustees of the village of Newburgh, to raise an additional sum of \$25,000 to the loan, to supply said village with pure water," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Upham, and by unanimous consent,

The committee of the whole were discharged from the further consideration of the Assembly bill entitled "An act relative to the reports and contracts of certain railroad corporations," and it was referred to a select committee, with power to report the same complete.

The President appointed as such committee, Messrs. Upham, Clark and Cornell.

The Senate then resolved itself into a committee of the whole on the supply and other bills under consideration during the morning session.

And after some time spent thereon, Mr. Otis, from said committee, reported progress, and asked and obtained leave to sit again.

The bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of Life and Health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853," was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on banks and insurance companies, to report complete.

Mr. Cornell moved that the Senate take a recess until eight o'clock, p. m.

Mr. Ward moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Clark	Platt	Snow	Ward	Wright	
Cooley					6

FOR THE NEGATIVE.

Babcock	Conger	McElwain	Pierce	Vanderbilt	
Bartlett	Cornell	Morgan	Smith	VanSchoonhoven	
Beach	Huntington	Otis	Taber	Williams	
Bennett	Jones				17

The President announced the question to be on the motion of Mr. Cornell, for a recess.

Mr. Ward moved to amend, so that the hour of recess be at 9 o'clock, p. m.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative as follows :

FOR THE AFFIRMATIVE.

Clark	Rogers	Snow	Ward	Wright	
McElwain					6

FOR THE NEGATIVE.

Bartlett	Conger	Jones	Otis	Taber
Beach	Cornell	Morgan	Pierce	Vanderbilt
Beekman	Huntington	Newcomb	Smith	Williams
Bennett				

16

Mr. Wright moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Ward	Wright			
------	--------	--	--	--

2

FOR THE NEGATIVE.

Bartlett	Conger	Jones	Otis	Smith
Bennett	Cornell	McElwain	Pierce	Taber
Clark	Huntington	Morgan	Rogers	Vanderbilt

15

The President again announced the question to be on Mr. Cornell's motion for a recess until eight o'clock, p. m.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Otis	Smith
Beach	Cornell	Morgan	Pierce	Taber
Bennett	Huntington	Newcomb	Rogers	Vanderbilt

15

FOR THE NEGATIVE.

Clark	Snow	Ward	Williams	Wright
-------	------	------	----------	--------

5

The Senate took a recess to eight o'clock, p. m.

EIGHT O'CLOCK, P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the several entitled bills under consideration during the morning and part of the afternoon sessions;

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

At twenty minutes to twelve o'clock, on motion of Mr. Otis, The Senate adjourned to nine o'clock, a. m. to-morrow.

TUESDAY, JULY 12, 1853.

The Senate met pursuant to adjournment.

No Clergyman present.

The journal of yesterday was read and approved.

On motion of Mr. Beach, and by unanimous consent,

The committee of the whole was discharged from the further consideration of the bill entitled "An act to amend an act in relation to school district No. 6, west of Perry street, in the city of Albany," and the same was ordered to a third reading.

On motion of Mr. Ward, and by unanimous consent,

Resolved, That an act to amend an act entitled 'An act to amend the act entitled 'An act to incorporate the Bushwick and Newtown bridge and turnpike company,' passed April 4, 1853," be referred to a select committee, with power to report complete.

The President appointed as such committee, Messrs. Ward, Morgan and Jones.

The bill entitled "An act to amend an act entitled 'An act to provide for a supply of water in the village of Newburgh, passed March 30, 1852, and amended February 23, 1853, so as to authorise the trustees of said village to raise the further sum of \$25,000 by loan,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Huntington	Morgan	Snow
Bartlett	Clark	Jones	Munroe	Vanderbilt
Beach	Conger	Kirby	Newcomb	VanSchoonhoven
Beekman	Davenport	McElwain	Otis	Ward
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorise the trustees of the village of Canandaigua, to borrow the amount of money directed to be raised by taxation, and to provide for a contingent fund," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Otis	Snow
Beach	Cooley	Kirby	Platt	VanSchoonhoven
Beekman	Davenport	McElwain	Rogers	Ward
Bennett	Huntington	Newcomb	Smith	Wright
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

The Assembly bill entitled "An act to provide for the completion of the tax roll when it shall have been omitted at the annual meeting of the board of supervisors," was read a third time, when

On motion of Mr. Cooley,

Said bill was referred to a select committee, with power to report the same complete.

The President appointed as such committee, Messrs. Cooley, Van Schoonhoven and Babcock.

By unanimous consent,

The bill entitled "An act to amend the act for the protection of emigrant passengers arriving at the city of New-York, passed April 13, 1853," was read a third time, when

Mr. Platt moved that the same be recommitted to the committee reporting it.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Beekman	Conger	McElwain	Platt	
Bartlett	Bennett				7

FOR THE NEGATIVE.

Clark	Jones	Newcomb	Vanderbilt	Ward	
Cooley	Kirby	Otis	VanSchoonhoven	Wright	
Huntington	Morgan	Upham			13

The said bill was then read again by its title, and on motion of Mr. Cooley, was laid aside for the present.

By unanimous consent,

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act for the relief of the Phillipsville and Belfast plank road company," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Vanderbilt asked and obtained leave to introduce a bill entitled "An act relative to certain mortgages made by the Freeman's Hall association of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

By unanimous consent,

Mr. McElwain asked and obtained leave to introduce a bill entitled "An act for the construction of a drain in the town of

Warsaw," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the internal affairs of towns and counties, to report complete.

Mr. Clark moved to take from the table the concurrent resolution from the Assembly, providing for the final adjournment of the Legislature on Wednesday next, at 12 o'clock, m., and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Munroe	Williams	
Bartlett	Davenport	McElwain	Otis	Wright	
Clark	Huntington	Morgan	Taber		14

FOR THE NEGATIVE.

Beach	Cooley	Newcomb	Smith	Vanderbilt	
Beckman	Cornell	Platt	Snow	Ward	
Bennett	Kirby				12

Mr. Bartlett moved to amend the same, so that the adjournment take place on Saturday next, at 12 o'clock, m.

Mr. Jones moved to further amend, so that the adjournment take place on Wednesday, the 20th inst., at 12 o'clock. m.

The President announced the question to be on the amendment of Mr. Jones.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cornell	Jones	Platt	Snow	Ward	5
---------	-------	-------	------	------	---

FOR THE NEGATIVE.

Babcock	Clark	Kirby	Otis	Vanderbilt	
Bartlett	Conger	McElwain	Pierce	Van Schoenhoven	
Beach	Cooley	Morgan	Smith	Williams	
Beckman	Davenport	Munroe	Taber	Wright	
Bennett	Huntington	Newcomb			23

The President announced the question to be on the amendment offered by Mr. Bartlett.

Mr. Clark called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Kirby	Smith	Upham	
Cornell	Jones	Platt	Snow	Van Schoenhoven	
					10

FOR THE NEGATIVE.

Babcock	Cooley	Morgan	Otis	Ward
Beekman	Huntington	Munroe	Pierce	Williams
Clark	McElwain	Newcomb	Vanderbilt	Wright
Conger				

16

The President announced the question to be on the said resolution.

Mr. Cooley moved to lay the same on the table.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beekman	Davenport	Pierce	Smith	Vanderbilt
Bennett	Jones	Platt	Snow	VanSchoonhoven
Cooley	Kirby	Rogers	Taber	Ward
Cornell	Newcomb			

17

FOR THE NEGATIVE.

Babcock	Clark	McElwain	Otis	Williams
Barthett	Conger	Morgan	Upham	Wright
Beach	Huntington	Munroe		

13

Mr. Conger called for the special order.

The Senate then resolved itself into a committee of the whole on the following entitled bills :

Assembly bill, "An act to provide for certain expenses of government."

Assembly bill "An act appropriating moneys to the Canal Fund, to be applied to the Erie canal enlargement, the Black River, the Genesee Valley, the Oswego, the Seneca and Cayuga, and Crooked lake canals."

Assembly bill, "An act appropriating moneys to the payment of canal debts, and for other purposes."

Assembly bill, "An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads."

And after some time spent thereon, Mr. Otis, from said committee, reported in favor of the passage of said second mentioned bill, with amendments, which report was agreed to, and said bill was ordered to a third reading.

Mr. Otis, from said committee, reported progress on said first, third, and fourth mentioned bills, and asked and obtained leave to sit again.

By unanimous consent,

The bill entitled "An act appropriating money to the payment of interest on the canal revenue certificates and on the Oswego loan," was read a third time, when

Mr. Pierce moved to recommit to the committee on finance, with instructions to amend said bill, by adding to the first sec-

tion "and the superintendent of the banking department shall continue to receive the said canal revenue certificates as a basis of banking, till said January 1st, 1855," and report forthwith.

Mr. Conger moved to amend said motion, by further instructing said committee to strike out the word "Comptroller" in the 2nd line of the third section of said bill, and insert as follows, "Auditor of the Canal Department."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Conger called for a division of the question on the motion of Mr. Pierce, as amended.

The President announced the question to be on recommitting, with instructions to amend, as proposed by the amendment of Mr. Conger.

The President put the question whether the Senate would agree to recommit, and it was decided in the affirmative.

The President announced the question to be on the motion of Mr. Pierce to recommit, with instructions to amend, as proposed by his said motion.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Newcomb	Rogers	Upham
Beach	Kirby	Otis	Smith	Van Schoonhoven
Bristol	McElwain	Pierce	Snow	Ward
Clark	Morgan	Platt	Taber	Williams
Davenport				

21

FOR THE NEGATIVE.

Conger	Cooley	Cornell	Jones	Vanderbilt	5
--------	--------	---------	-------	------------	---

At 12 o'clock, m., the President announced the special order, and the Senate went into executive session;

And after some time spent therein, the Senate resumed legislative business.

The following preamble and resolution was received from the Assembly:

Whereas, Articles of impeachment have been preferred against John C. Mather, and adopted by this House, and whereas it is necessary, in the opinion of this House, that it should continue its organization during the progress of the trial, therefore

Resolved, That the Senate be most respectfully requested to return, without concurrence, to this House, the resolution for a final adjournment on Wednesday, the 13th inst.

Mr. Cooley moved to take up the concurrent resolution from the Assembly, fixing the time for the final adjournment of the Legislature.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Otis	VanSchoonhoven
Bartlett	Clark	McElwain	Snow	Ward
Beach	Cooley	Morgan	Upham	Williams
Beekman	Huntington	Newcomb	Vanderbilt	Wright 20

FOR THE NEGATIVE.

Bennett	Cornell	Rogers	Smith	4
---------	---------	--------	-------	---

Mr. Cooley moved to return the said resolution to the Assembly, in pursuance of the preceding resolution.

Debate was had thereon, when

Mr. Babcock moved that the Senate concur in said resolution for adjournment.

Mr. Conger offered for the consideration of the Senate, a preamble and resolution in the words following, to wit:

Whereas, In the opinion of this Senate, it is not necessary that the Hon. the House of Assembly, should continue in session during the trial of certain articles of impeachment preferred by that honorable body,

Resolved, That the request for the transmission of the resolution for a final adjournment of both Houses, be respectfully declined.

Debate was had thereon, when

The hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Van Schoonhoven, from the select committee, to which was referred the bill entitled "An act to provide for the completion of the tax roll, when it shall have been omitted at the annual meeting of the board of supervisors," with power to report complete, so reported, and said bill was ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Newcomb	Vanderbilt
Bartlett	Conger	Morgan	Platt	VanSchoonhoven
Beekman	Davenport	Murroe	Upham	Ward
Bennett	Huntington			17

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

Mr. Vanderbilt, from the committee on the judiciary, asked and obtained leave to introduce a bill entitled "An act to authorise an appeal from the judgment of McMaster and Merritt, against the agent of the Sing Sing Prison," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Vanderbilt, from the committee on the judiciary, asked and obtained leave to introduce a bill entitled "An act to authorise an appeal from the judgment of Abijah Fitch and others, against the agent of Sing Sing prison," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be engrossed for a third reading.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act concerning appeals," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

The President presented the following invitation :

To the Honorable the Senate of the State of New-York :

The undersigned, on the part of the committee appointed by the merchants, underwriters, and other citizens interested in preserving the harbor of New-York from further encroachments, respectfully invite the members of your honorable body to an inspection of the harbor at the earliest day that will best suit your convenience, with a view to your becoming personally acquainted with the subject, and in the confident hope that you will prohibit any further constructions in said harbor, until you shall have afforded reasonable opportunity for the action of a commission fully authorised and competent to decide upon the character and extent of what may hereafter be permitted to be done in that behalf.

Understanding that a visit to the city of New-York by your honorable body, is now in contemplation for the 14th inst., the undersigned beg leave to propose the following day (the 15th inst), and solicit the favor of your attendance at the lower pier at Whitehall, on that day, at ten o'clock, a. m., where a steam-boat will be provided for your accommodation, and a committee of our citizens in attendance to meet you.

CALEB BARSTOW,
TALMAN J. WATERS,
EBEN MERIAM,
CHARLES ROBERTS,
WM. A. FREEBORN.

Mr. Beekman moved that the Senate do accept of said invitation.

Mr. Vanderbilt moved that the same be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President announced the question to be on the motion of Mr. Beekman

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Morgan	Platt	Snow	
Beekman	McElwain	Newcomb	Smith	Ward	
Cooley					11

FOR THE NEGATIVE.

Babcock	Conger	Taber	Upham	Vanderbilt	5
---------	--------	-------	-------	------------	---

By unanimous consent,

Mr. Babcock, from the committee on commerce and navigation, to which was referred a petition, &c., for a law to provide for the incorporation of navigation companies, reported, and asked and obtained leave to introduce a bill entitled "An act for the incorporation of companies formed to navigate lakes, rivers and canals," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee, to report complete.

Mr. Cooley moved that the select committee be discharged, and the said bill be referred to the committee of the whole.

Debate was had thereon, when

Mr. Cornell moved to lay the same upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

The President announced the question to be on the motion of Mr. Cooley, to discharge the select committee, and refer said bill to the committee of the whole.

Debate was had thereon, when

Mr. Conger moved to lay the whole subject on the table.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative as follows :

FOR THE AFFIRMATIVE.

Bristol	Cornell	Otis	Pierce	Platt
Conger	Jones			

FOR THE NEGATIVE.

Babcock	Beekman	Cooley	Smith	Upham
Bartlett	Beaunett	Kirby	Snow	Vanderbilt
Beach	Clark	Morgan	Taber	Wright

15

The President again announced the question to be on the motion of Mr. Cooley.

Debate was had thereon, when

Mr. Cooley moved that said bill be laid upon the table and printed.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bristol	Cooley	Jones	Newcomb	Snow
Clark	Davenport	Morgan	Otis	Vanderbilt
Conger	Huntington	Munroe	Platt	Williams

15

FOR THE NEGATIVE.

Babcock	Beekman	Pierce	Taber	Ward
Bartlett	McElwain	Smith	Upham	Wright

11

Mr. Conger, from the committee on finance, to which was re-committed the Assembly bill entitled "An act appropriating money to the payment of interest on the canal revenue certificates, and on the Oswego loan," with instructions to make certain amendments thereto, and with authority to report the same back forthwith, so reported.

Said bill was then read again, when

Mr. Cooley moved to recommit to the committee on finance, with instructions to amend the said bill, and report the same forthwith.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Clark	Morgan	Otis	Upham
Beekman	Cooley	Munroe	Platt	Vanderbilt
Bristol	Huntington	Newcomb	Snow	Ward

16

FOR THE NEGATIVE.

Bartlett	Cornell	Jones	Pierce	Wright
Conger	Davenport	McElwain	Smith	

9

By unanimous consent,

The bill entitled "An act to amend an act to authorize the construction of draw-bridges over the Flushing and Newtown creeks in the counties of Queens and Kings, passed April 11, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Newcomb	Taber
Bartlett	Clark	McElwain	Platt	Upham
Beach	Conger	Morgan	Smith	Ward
Beekman	Cooley	Munroe	Snow	Wright
Bennett	Davenport			

22

FOR THE NEGATIVE.

Otis

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Conger, from the committee on finance, to which was re-committed the bill entitled "An act appropriating money to the payment of interest on the canal revenue certificates and on the Oswego loan," with instructions to strike out the following, "as heretofore until July 1, 1855," in the amendment previously offered by Mr. Pierce, and adopted by the Senate, and insert as follows: "until the said certificates shall be paid and redeemed," and report the same back forthwith, so reported, and said bill was ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	McElwain	Platt	Vanderbilt
Bartlett	Clark	Munroe	Smith	Ward
Beach	Cooley	Newcomb	Snow	Williams
Beekman	Davenport	Otis	Taber	Wright
Bennett	Huntington	Pierce	Upham	

24

FOR THE NEGATIVE.

Conger	Cornell	Jones
--------	---------	-------

3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The President announced the question before the Senate to be on the amendment offered by Mr. Conger, before the recess, in relation to the resolution from the Assembly, requesting a return of the concurrent resolution from that body, fixing the time for a final adjournment of the Legislature.

Mr. Taber offered the following as an amendment or substitute to the said resolution offered by Mr. Conger:

Resolved, That the Senate do not concur with the honorable the Assembly, in the opinion expressed in their resolution of this day, that their continuance together as a legislative body or otherwise, during the trial of an impeachment is necessary; and that the Senate request a conference upon this question, together with the question of the time of final adjournment of the Legislature, and that Messrs. be appointed such committee on the part of the Senate.

Mr. Conger accepted of the same.

Debate was had thereon, when

Mr. Ward called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment or substitute, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Munroe	Smith	
Bartlett	Conger	Jones	Newcomb	Snow	
Beckman	Cooley	Kirby	Otis	Ward	
Bennett	Cornell	McElwain	Pierce	Williams	
Bristol	Davenport	Morgan	Platt	Wright	26

Mr. Conger moved that the blank in said resolution of Mr. Taber, as adopted, be filled by the President.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President appointed Messrs. Taber, Jones and Ward, such committee.

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act appropriating moneys to the payment of canal debts and other purposes."

"An act to provide for certain expenses of government."

"An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads."

"An act in relation to compensation of persons in the employ of the State."

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Wright moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Cooley	Newcomb	VanSchoonhoven	Wright	5
-------	--------	---------	----------------	--------	---

FOR THE NEGATIVE.

Babcock	Cornell	Morgan	Pierce	Taber
Beckman	Huntington	Munroe	Platt	Vanderbilt
Clark	Jones	Otis	Smith	Williams
Conger	McElwain			

Mr. Conger moved that the Senate take a recess until 8 o'clock, p. m.

Mr. Babcock moved to amend, so that the recess be until a quarter past eight o'clock, p. m.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on the motion of Mr. Conger for recess, as amended.

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion of Mr. Conger, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Newcomb	Vanderbilt	
Beach	Cooley	Jones	Otis	Wright	
Beekman	Cornell	McElwain	Platt		14

FOR THE NEGATIVE.

Morgan	Munroe	Pierce	Williams	4
--------	--------	--------	----------	---

The Senate took a recess until a quarter past eight o'clock, p. m.

QUARTER PAST EIGHT O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Beekman, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the New-York and Erie railroad benevolent association," with power to report complete, so reported.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the negative.

By unanimous consent,

Mr. Beekman, from the committee on literature, to which was referred the bill entitled "An act to establish free schools in district number one, in the towns of Castleton and Southfield," reported adversely.

Mr. Vanderbilt moved that such report be laid upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

Mr. Babcock, from the select committee, to which was referred the Assembly bill entitled "An act to confirm the title of a certain lot of land to George Henry, jr." with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	Van Schoonhoven
Beekman	Davenport	Newcomb	Snow	Williams
Bristol	Huntington	Otis	Taber	Wright
Clark	Jones	Pierce	Upham	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Taber, and by unanimous consent,

The committee of the whole were discharged from the consideration of the bill entitled "An act to amend an act to incorporate the Albany tunnel company," and said bill was ordered engrossed for a third reading.

A message was received from the Assembly, with notice that they had concurred in the resolution from the Senate, asking for the appointment of a committee of conference in relation to the continuance of the session of the Assembly, during the trial of the impeachment against John C. Mather, and the final adjournment of the Legislature; and that Messrs. Temple, Hadley, P. W. Rose, Chatfield and Hoyle, were appointed such committee on the part of the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act to confirm and amend the charter of the village of Morrisville,' passed April 12, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act giving to the supervisors and justices of the peace of the town of Hammond, in the county of St. Lawrence, power to license and regulate the ferry at Oak Point, in said town," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to provide for certain expenses for railroad purposes, in the town of North Dansville," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on railroads, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act authorising the appointment of a commissioner of deeds for the village of Bloomingburgh," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the Marine court in the city of New-York," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to a select committee of Senators from the 4th, 5th, and 6th districts, to report complete.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill :

"An act to amend an act entitled 'An act to provide for the incorporation of Fire insurance companies,' passed June 25, 1853."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Cooley	McElwain	Otis	Upham
Bartlett	Davenport	Morgan	Platt	Vanderbilt
Beekman	Huntington	Munroe	Smith	Williams
Bennett	Jones	Newcomb	Snow	Wright
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill :

"An act to simplify the manner of collecting arrears of taxes, assessments, and regular rents of croton water in the city and county of New-York."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Morgan	Pierce	Upham
Beach	Davenport	Munroe	Platt	Vanderbilt
Beekman	Huntington	Newcomb	Smith	Williams
Bennett	McElwain	Otis	Snow	Wright
Clark				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill :

"An act to amend title six, of chapter seven, of part one of the Revised Statutes."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Pierce	Upham
Bartlett	Conger	Morgan	Platt	Vanderbilt
Beach	Cooley	Munroe	Smith	VanSchoonhoven
Beekman	Davenport	Newcomb	Snow	Williams
Bennett	Huntington	Otis	Taber	Wright
Bristol	Jones			

27

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bills :

"An act in relation to the Superior court, and to the court of Common Pleas, and the Marine court of the city of New-York."

"An act to confirm the official acts of James Creighton, a justice of the peace."

"An act in relation to debts contracted by women before marriage."

Ordered, That the Clerk return said bills to the Assembly.

The Senate then resolved itself into a committee of the whole on the several mentioned bills under consideration before the recess ;

And after some time spent thereon, Mr. Otis, from said committee, reported in favor of the passage of said first mentioned bill with amendments, which report was agreed to, and said bill was ordered to a third reading.

Mr. Otis, from said committee, reported progress on said second, third, and fourth mentioned bills, and asked and obtained leave, to sit again.

At half-past eleven o'clock, p. m., on motion of Mr. Cooley, the Senate adjourned to 9 o'clock, a. m., to-morrow.

WEDNESDAY, JULY 13, 1853.

The Senate met pursuant to adjournment.

No Clergyman present.

The journal of yesterday was read and approved.

By unanimous consent,

Mr. Bartlett, from the committee on railroads, to which was referred the Assembly bill entitled "An act to provide for certain expenses for railroad purposes, in the town of North Dansville," with power to report complete, so reported, and said bill was ordered to a third reading.

On motion of Mr. Ward, and by unanimous consent,

Resolved, That the time be extended until the first day of November next, in which the select committee of the Senate appointed under and by virtue of a resolution adopted on the 28th day of March, 1853, to investigate and report on certain matters in relation to the affairs of Union college, shall be and are authorised to execute the powers and discharge the duties of such appointment.

Mr. Vanderbilt presented the petition of John P. Yelverton and others, in relation to the election of directors in mutual insurance companies, which was referred to the committee on banks and insurance companies.

Mr. Vanderbilt presented the remonstrance of the Bushwick and Newtown bridge and turnpike road company, against the passage of the bill to amend the charter of said company, which was referred to a select committee.

Mr. Beach presented the memorial of the New-York life insurance company, which was referred to the committee on banks and insurance companies.

By unanimous consent,

The same was ordered printed.

On motion of Mr. Ward, and by unanimous consent,

The committee of the whole were discharged from the further consideration of the Assembly bill entitled "An act concerning appeals," and the same was ordered to a third reading.

By unanimous consent,

Mr. Taber, from the conference committee on the part of the Senate, reported that they had conferred with the committee on the part of the Assembly, and unanimously agreed that there was no necessity for the continuance of the Assembly in session during the trial of the impeachment of Mr. Mather, but had not come to a conclusion in relation to the final adjournment of the Legislature.

The President announced the special order.

Mr. Beach moved to lay the same on the table.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Beekman	Newcomb	Wright	4
-------	---------	---------	--------	---

FOR THE NEGATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Davenport	McElwain	Smith	VanSchoonhoven
Bennett	Huntington	Munroe	Snow	Ward
Bristol	Jones	Otis	Taber	Williams
Clark				21

The Senate then resolved itself into a committee of the whole on the following entitled bills:

"An act in relation to compensation of persons in the employ of the State."

"An act to provide for certain expenses of government."

"An act to provide means to pay State debts, to support the Government, and to carry on the public works by taxes and by tolls on railroads."

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Wright moved that the committee of the whole be discharged from the further consideration of the second mentioned bill.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

By unanimous consent,

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of Life and Health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853," with power to report complete, so reported, and said bill was ordered to a third reading.

The bill entitled "An act accepting the sovereignty and jurisdiction over a certain portion of territory of the commonwealth of Massachusetts, ceded to the State of New-York upon certain conditions by said commonwealth in 1852," was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

At a quarter to two o'clock, p. m., the Senate took a recess to four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill:

"An act to divide the county of Steuben into two jury districts, and to provide for holding courts in and for said county, alternately in each of said districts."

A bill was received from the Assembly for concurrence, entitled "An act prescribing regulations for disbursements upon the canals and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The Senate then resolved itself into a committee of the whole on the several bills under consideration during the morning session:

And after some time spent thereon, Mr. Otis, from said committee, reported in favor of the passage of said second mentioned bill with amendments.

Mr. Otis, from said committee, reported progress on said first and third mentioned bills, and asked and obtained leave to sit again.

The President announced the question to be on agreeing to the report of the committee on said second mentioned bill.

Mr. Conger moved to amend said report, by striking out the several appropriations for dispensary purposes, and inserting the following: "For medical dispensaries and other county and private institutions for medical aid to the poor, the sum of ten thousand dollars, to be distributed in proportion to the number of persons actually receiving medical aid; the same reports to be made as now required by chapter 410, of the Laws of 1851, in regard to hospitals."

Mr. Conger called for the ayes and nbes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Conger	Jones	McElwain	Smith
Clark	Cornell			

7

FOR THE NEGATIVE.

Babcock	Cooley	Morgan	Platt	Upham
Bartlett	Huntington	Munroe	Snow	Vanderbilt
Beckman	Kirby	Newcomb	Taber	VanSchoonhoven
Bristol				

16

Mr. Cornell moved to strike out the several items of appro-

priations for dispensary purposes, viz, from line 261 to 264, inclusive, and from line 276 to 294, inclusive.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Cornell	Kirby	Smith	
Beach	Conger	Jones	McElwain	Williams	10

FOR THE NEGATIVE.

Bartlett	Cooley	Munroe	Platt	Upham	
Beckman	Huntington	Newcomb	Snow	Vanderbilt	
Bennett	Morgan	Otis	Taber	VanSchoonhoven	16
Bristol					

Mr. Cooley moved to restore the appropriation of \$25,000 to the N. Y. volunteers, which had been stricken out in committee of the whole.

Debate was had thereon, when

Mr. Platt called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bristol	Cooley	Morgan	Vanderbilt	VanSchoonhoven	6
Conger					

FOR THE NEGATIVE.

Babcock	Beckman	McElwain	Smith	Upham	
Bartlett	Cornell	Munroe	Snow	Ward	
Beach	Huntington	Platt	Taber	Williams	15

Mr. Platt moved that the Senate do now adjourn.

Mr. Williams called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	McElwain	Snow	VanSchoonhoven	
Beckman	Cooley	Otis	Upham	Ward	
Bristol	Cornell	Platt			13

FOR THE NEGATIVE.

Babcock	Huntington	Munroe	Taber	Williams	8
Beach	Morgan	Smith			

The Senate adjourned to nine o'clock, a. m. to-morrow.

THURSDAY, JULY 14, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Schmidt.

The journal of yesterday was read and approved.

Mr. Ward from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act to authorise any town in the counties of Wyoming and Cattaraugus, to subscribe for the stock of the Attica and Allegany Valley railroad company, and to issue bonds of said towns to said company in payment of the same," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Upham, from the select committee, to which was referred the Assembly bill entitled "An act relative to the report and contracts of certain railroad corporations," with power to report complete, so reported with amendments, and said bill was ordered to a third reading.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bills:

"An act appropriating money to the payment of interest on the canal revenue certificates and on the Oswego loan."

"An act to amend an act entitled 'An act to provide for laying out and opening a road from Clinton county, to Carthage, in Jefferson county.'"

Ordered, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act entitled 'An act to amend an act incorporating the village of Schuylerville, and to extend its boundaries,' passed March 26, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages, to report complete.

A bill was received from the Assembly for concurrence, entitled "An act to alter the commissioners' map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Babcock, and by unanimous consent,

Resolved, That the Clerk proceed to call the titles of Assembly bills ready for a third reading, and that none be read unless moved by some Senator.

The bill entitled "An act to amend the act for the protection of emigrant passengers arriving at the city of New-York, passed April 13, 1853," having been read a third time,

By unanimous consent,

Said bill was amended as follows: In section second, third line,

strike out the words "the commissioners of emigration," and insert "any court having jurisdiction thereof;" also in the tenth line strike out the same words, and insert "said court."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Smith	Van Schoonhoven
Bartlett	Cooley	Munroe	Taber	Ward
Beekman	Huntington	Otis	Upham	Williams
Bristol	Kirby	Platt		18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the more effectual prevention of wanton and malicious mischief," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Morgan	Platt	Upham
Beekman	Cornell	Munroe	Smith	Van Schoonhoven
Bristol	Huntington	Otis	Taber	Williams
Conger	Kirby			17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for the consolidation of the municipal government of the cities of Brooklyn, Williamsburgh, and the town of Bushwick," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	Van Schoonhoven
Beekman	Cornell	Munroe	Taber	Ward
Bristol	Huntington	Otis	Upham	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the trustees of the Milton Center society in the town of Lansing, county of Tompkins, to sell a portion of their property," was read a third time, when

By unanimous consent,

The same was amended by striking out the amendment made in the Senate, and inserting the word "religious" immediately before the word "purposes" in the fourth line of the second section of said bill.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babeock	Cooley	Morgan	Platt	VanSchoonhoven
Bartlett	Cornell	Munroe	Smith	Ward
Beekman	Huntington	Otis	Taber	Williams
Bristol	Kirby			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

The Assembly bill entitled "An act repealing an act in relation to road district number two, in Persia, Cattaraugus co.," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babeock	Conger	Morgan	Smith	VanSchoonhoven
Bartlett	Cornell	Munroe	Taber	Ward
Beekman	Huntington	Otis	Upham	Williams
Bristol	Kirby	Platt		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act authorizing the election of a police justice in the village of Poughkeepsie, passed March 10, 1849," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babeock	Conger	Morgan	Platt	Upham
Bartlett	Cornell	Munroe	Smith	Ward

Beekman	Huntington	Otis	Taber	Williams	17
Bristol	Kirby				

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Assembly bill entitled "An act in relation to the Elmira and Southport bridge company incorporated by an act of the Legislature, April 16, 1823," was read a third time, when

By unanimous consent,

The same was amended by striking out the words "be it enacted that" at the commencement of the 1st and 2nd sections of said bill.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Upham	
Bartlett	Cooley	Morgan	Smith	Ward	
Beekman	Cornell	Munroe	Taber	Williams	17
Bristol	Huntington				

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

The Assembly bill entitled "An act giving the supervisor and justices of the peace of the town of Hammond, in the county of St. Lawrence, power to license and regulate the ferry at Oak Point, in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	VanSchoonhoven	
Bartlett	Cooley	Morgan	Smith	Ward	
Beekman	Cornell	Munroe	Taber	Williams	19
Bristol	Huntington	Otis	Upham		

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment

The Assembly bill entitled "An act authorising the Havana and Newfield plank road company to erect a toll gate at or near Odessa," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	VanSchoonhoven
Bartlett	Coolley	Morgan	Smith	Ward
Beekman	Cornell	Munroe	Taber	Williams
Bristol	Huntington	Otis	Upham	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to incorporate the Westchester county bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Platt	Upham
Bartlett	Coolley	Munroe	Smith	Ward
Beekman	Huntington	Otis	Taber	Williams
Bristol	Kirby			17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act for the preservation of health, passed April 10, 1850," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Platt	Ward
Beekman	Coolley	Munroe	Taber	Williams
Bristol	Cornell	Otis	Upham	14

FOR THE NEGATIVE.

Bartlett	Kirby	Smith	Vanderbilt	VanSchoonhoven
Huntington				8

Mr. Babcock moved that the vote just taken be reconsidered, and that such motion do lay upon the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend the charter of the village of Lewiston," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	VanSchoonhoven
Beekman	Cornell	Munroe	Taber	Ward
Bristol	Huntington	Otis	Upham	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act making appropriations for supplying the Western house of refuge with water and for other purposes," was read a third time

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	VanSchoonhoven
Beekman	Cornell	Munroe	Taber	Ward
Bristol	Huntington	Otis	Upham	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the supervisors of the several counties in the eighth judicial district, to send certain persons who may be confined in their several county jails, to the Erie county penitentiary," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	VanSchoonhoven
Beekman	Cornell	Munroe	Taber	Ward
Bristol	Huntington	Otis	Upham	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to establish the Seneca Indian high school on the Cattaraugus reservation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows : .

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Platt	Vanderbilt
Bartlett	Cooley	Munroe	Smith	Ward
Beekman	Huntington	Otis	Upham	Williams
Bristol	Kirby			

17

FOR THE NEGATIVE.

Taber

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Assembly bill entitled "An act authorising the Central Square and Pine plank road company in the counties of Oswego and Oneida, to change the termination of their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Munroe	Taber	VanSchoonhoven
Bartlett	Huntington	Otis	Upham	Ward
Beekman	Kirby	Platt	Vanderbilt	Williams
Bristol	Morgan	Smith		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act for the relief of the Free Will Baptist church and society of the town of Fabius, Onondaga county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Munroe	Taber	VanSchoonhoven
Beekman	Huntington	Otis	Upham	Ward
Bristol	Kirby	Platt	Vanderbilt	Williams
Cooley	Morgan	Smith		

18

FOR THE NEGATIVE.

Conger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act in relation to common schools in the city of Albany, west of Perry street," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	VanSchoonhoven
Beekman	Cornell	Munroe	Taber	Ward
Bristol	Huntington	Otis	Upham	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act for the better regulation of the county and State prisons of the State, and consolidating and amending the existing laws in relation thereto,' passed December 14, 1847," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Platt	Upham
Bartlett	Cornell	Munroe	Smith	Ward
Beekman	Huntington	Otis	Taber	Williams
Conger	Kirby			17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Cooley, from the committee on banks and insurance companies, to which was referred the Assembly bill entitled "An act to incorporate the Penn Yan savings bank, in the village of Penn Yan," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Babcock moved to lay the present order of business on the table, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Munroe	Taber	Williams
Bartlett	Cornell			7

FOR THE NEGATIVE.

Beekman	Huntington	Otis	Upham	VanSchoonhoven
Bristol	Kirby	Platt	Vanderbilt	Ward
Cooley	Morgan			12

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act accepting the sovereignty and jurisdiction over a certain portion of territory of the commonwealth of Massachusetts, ceded to the State of New-York upon certain conditions by said commonwealth in 1853," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

The Assembly bill entitled "An act to amend an act for the incorporation of villages, passed December 7, 1847, so far as it relates to the village of Niagara Falls, Niagara county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	VanSchoonhoven
Beekman	Cornell	Munroe	Taber	Ward
Bristol	Huntington	Otis	Upham	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act appropriating five hundred dollars to repair the road across the Onondaga river reservation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Smith	Vanderbilt
Bartlett	Cooley	Munroe	Taber	Ward
Beekman	Huntington	Otis	Upham	Williams
Bristol	Kirby			17

FOR THE NEGATIVE.

Cornell	Platt	VanSchoonhoven	3
---------	-------	----------------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A communication was received and read, in the words following, to wit:

STATE NORMAL SCHOOL, }
 July 14, 1853. }

To the Lieutenant Governor :

The Senate is respectfully invited to attend the closing exercises of the present term of the Normal school, which are to take place this afternoon, at half-past three o'clock, in the lecture room of the Normal building.

With the highest respect,

Your obedient servant,

S. B. WOOLWORTH,

Principal State Normal School.

The Assembly bill entitled "An act to provide for the building of a bridge across the Tonawanda creek, at or near where the road commonly called the Bear Ridge Road, intersects the road along the northerly side of said creek," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Taber	VanSchoonhoven
Bartlett	Cooley	Munroe	Upham	Ward
Beekman	Huntington	Platt	Vanderbilt	Williams
Bristol	Kirby	Smith		18

FOR THE NEGATIVE.

Cornell	Otis	2
---------	------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to incorporate the Penn Yan savings bank in the village of Penn Yan," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Smith	Vanderbilt
Bartlett	Cooley	Munroe	Taber	Ward
Beekman	Huntington	Otis	Upham	Williams
Bristol	Kirby	Platt		18

FOR THE NEGATIVE.

Cornell	1
---------	---

Ordered, That the Clerk return said bill to the Assembly, with

a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to remove the burial ground in the village of Stamford, in the county of Delaware," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Morgan	Smith	Vanderbilt
Bartlett	Cornell	Munroe	Taber	Ward
Beekman	Huntington	Otis	Upham	Williams
Bristol	Kirby			

17

FOR THE NEGATIVE.

Conger	Platt	VanSchoonhoven
--------	-------	----------------

3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorize the construction of a plank road in the town of Carroll, in the county of Chautauque, and to incorporate the Frewsburch plank road company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Munroe	Smith	Vanderbilt
Bartlett	Huntington	Otis	Taber	Ward
Beekman	Kirby	Platt	Upham	Williams
Bristol	Morgan			

17

FOR THE NEGATIVE.

Conger	Cornell	VanSchoonhoven
--------	---------	----------------

3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to incorporate the Niagara ship canal company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Otis	Taber	VanSchoonhoven
Beekman	Kirby	Platt	Upham	Ward

Bristol	Morgan	Smith	Vanderbilt	Williams	16
Cooley					

FOR THE NEGATIVE.

Babcock	Conger	Cornell	Munroe	4
---------	--------	---------	--------	---

Mr. Upham moved to reconsider said vote.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act accepting the sovereignty and jurisdiction over a certain portion of territory of the commonwealth of Massachusetts, ceded to the State of New-York upon certain conditions, by said commonwealth in 1853," was read a third time, when

By unanimous consent,

Said bill was amended, by striking out the word "act" in section one, line thirteen, and inserting the word "section."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	VanSchoonhoven
Bartlett	Cooley	Morgan	Taber	Ward
Beekman	Cornell	Munroe	Upham	Williams
Bristol	Huntington	Otis	Vanderbilt	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act for the more effectual prevention of fires in the city of New-York, and to amend the law heretofore passed for that purpose,' passed March 7, 1849," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	VanSchoonhoven
Beekman	Cornell	Munroe	Taber	Ward
Bristol	Huntington	Otis	Upham	Williams
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Upham presented the petition of sundry citizens of Lockport, praying for a law to incorporate companies to navigate canals, &c., which was laid upon the table.

By unanimous consent,

Mr. Munroe presented two petitions on the same subject, which were laid upon the table

The Assembly bill entitled "An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	Ward
Beekman	Cornell	Munroe	Taber	Williams
Bristol	Huntington	Otis	Upham	19

FOR THE NEGATIVE.

VanSchoonhoven	1
----------------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to provide for draining the swamp lands along the streams known as Bear Trap and Mud Creek, in the town of Salina," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Smith	VanSchoonhoven
Bartlett	Cornell	Munroe	Taber	Ward
Beekman	Huntington	Otis	Vanderbilt	Williams
Bristol	Kirby			17

FOR THE NEGATIVE.

Cooley	Platt	Upham	2
--------	-------	-------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act appropriating money to the Canal Fund to be applied to the Erie canal enlargement, of the Black River, the Genesee Valley, the Oswego, the Seneca and Cayuga, and the Crooked Lake canals," was read a third time, when

By unanimous consent,

The title of said bill was amended, by inserting "Cayuga" in place of "Seneca;" also "Seneca" in place of "Cayuga;" also by adding to said title, the words "and the Champlain canal."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	VanSchoonhoven
Beekman	Cornell	Munroe	Taber	Ward
Bristol	Huntington	Otis	Upham	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

The Assembly bill entitled "An act appropriating money for the payment of canal debts and for other purposes," was read a third time, when

By unanimous consent,

The words "Sec. 5. This act shall take effect immediately," were added.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Morgan	Smith	VanSchoonhoven
Beekman	Cornell	Munroe	Taber	Ward
Bristol	Huntington	Otis	Upham	Williams
Conger	Kirby	Platt	Vanderbilt	19

FOR THE NEGATIVE.

Babcock

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

The Assembly bill entitled "An act concerning appeals," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Smith	VanSchöonhoven
Bartlett	Cornell	Munroe	Upbam	Ward
Beekman	Huntington	Otis	Vanderbilt	Williams
Bristol	Kirby	Platt		18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment

On motion of Mr. Babcock,
The Senate took a recess until eight o'clock, p. m.

EIGHT O'CLOCK, P. M.

The Senate again met.

The Assembly bill, entitled "An act to repeal an act entitled 'An act in relation to draining certain lands in the towns of Manlius, De Witt and Cicero, in the county of Onondaga,' passed March 3, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Otis	Taber
Bartlett	Cooley	Morgan	Platt	Upbam
Beekman	Cornell	Munroe	Smith	Vanderbilt
Bristol	Huntington			17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to authorize the founding of a garden in the city of New-York, for horticultural purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Upbam
Bartlett	Cooley	Morgan	Smith	Vanderbilt

Beekman	Cornell	Munroe	Taber	VanSchoonhoven
Bristol	Huntington	Otis		18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to extend the time for the Albany tunnel company to comply with the conditions of its incorporation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	VanSchoonhoven
Beekman	Cornell	Munroe	Taber	Ward
Bristol	Huntington	Otis	Upham	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Brockport savings bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Morgan	Smith	Vanderbilt
Bartlett	Cooley	Munroe	Taber	Ward
Beekman	Huntington	Otis	Upham	Williams
Bristol	Kirby	Platt		18

FOR THE NEGATIVE.

Cornell	VanSchoonhoven	2
---------	----------------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act relative to certain mortgages made by the Freeman's Hall association in the city of Brooklyn," was read a third time

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	VanSchoonhoven
Beekman	Cornell	Munroe	Taber	Ward
Bristol	Huntington	Otis	Upham	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence there n.

The bill entitled "An act to incorporate Leffert's park association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Gonger	Morgan	Platt	Vanderbilt
Bartlett	Cooley	Munroe	Smith	Ward
Beekman	Huntington	Otis	Upham	Williams
Bristol	Kirby			

17

FOR THE NEGATIVE.

Cornell	VanSchoonhoven	2
---------	----------------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Van Schoonhoven moved that the bill entitled "An act to amend an act to incorporate the Auburn female seminary, passed January 29, 1852," be now read a third time.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bristol	VanSchoonhoven	Williams	3
---------	----------------	----------	---

FOR THE NEGATIVE.

Babcock	Conger	Huntington	Otis	Taber
Bartlett	Cooley	Kirby	Platt	Upham
Beekman	Cornell	Morgan	Smith	Ward

15

The bill entitled "An act in relation to the Brooklyn, Flatbush and Canarsie plank road company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	Kirby	Platt	Vanderbilt
Bartlett	Cooley	Morgan	Smith	Ward
Beekman	Cornell	Munroe	Taber	Williams
Bristol	Huntington	Otis	Upham	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act regulating the rate of interest on the loan or forbearance of money," was read a third time, when

By unanimous consent,

Said bill was amended by striking out after the word "no," in

section two, line one, the words "contract or assurance," and inserting the words "bill or promissory note having more than ninety days to run;" and also in line four, same section, after the word "such," strike out the words "assurance or contract," and insert the words "bill or promissory note."

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beekman	Cooley	Kirby	Platt	VanSchoonhoven
Conger	Cornell	Morgan	Smith	9

FOR THE NEGATIVE.

Babcock	Munroe	Taber	Vanderbilt	Williams
Huntington	Otis	Upham	Ward	9

Mr. Cooley moved to reconsider said vote.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent,

Mr. Platt presented the petition of sundry citizens of Oswego, praying for the passage of a law incorporating inland navigation companies, which was laid upon the table.

Mr. Babcock moved to lay the present order of business upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	Otis	Taber	Vanderbilt
Bartlett	Kirby	Smith	Upham	Williams
Conger	Munroe			12

FOR THE NEGATIVE.

Beekman	Cooley	Huntington	Morgan	Platt
				5

Mr. Babcock moved that the Senate do now go into a committee of the whole on the bill entitled "An act for the incorporation of companies formed to navigate lakes, rivers and canals."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Munroe	Smith	Upham
Bartlett	Cornell	Otis	Taber	Williams
Bristol				11

FOR THE NEGATIVE.

Beekman	Huntington	Morgan	Platt	Vanderbilt
Cooley				6

Mr. Platt moved to adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Huntington	Platt	Smith	Williams	
Cooley	Morgan				7

FOR THE NEGATIVE.

Babcock	Bristol	Cornell	Otis	Upham	
Bartlett	Conger	Munroe	Taber	Vanderbilt	10

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act for the incorporation of companies formed to navigate lakes, rivers and canals."

And after some time spent thereon, Mr. Conger, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. Babcock moved said bill be referred to a select committee, with power to report complete.

Mr. Platt moved to adjourn.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Huntington	Platt	Taber	Vanderbilt	
Cooley	Morgan	Smith	Upham		9

FOR THE NEGATIVE.

Babcock	Bristol	Cornell	Munroe	Williams	
Bartlett	Conger				7

Whereupon, at five minutes to eleven o'clock, p. m., the Senate adjourned until to-morrow morning, at nine o'clock.

FRIDAY, JULY 15, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Farr.

The journal of yesterday was read and approved.

Mr. Beekman presented the petition of certain merchants in Front street, New-York, praying for an act to incorporate companies to navigate the canals, lakes, rivers, &c., which was committed to the committee of the whole.

The special order being called for, the bill entitled "An act to provide for certain expenses of government," was taken up.

The President announced the question to be upon agreeing with the report of the committee of the whole.

Mr. Conger moved to strike out from said bill the appropriation of \$20,000 to the New-York Eye and Ear Infirmary; and also the appropriations of \$5,000 each, to the Medical Department of the University of Buffalo; Eye and Ear Infirmary; Medical College, Albany; Eye and Ear Infirmary; Marshall Infirmary, Troy; and the New-York Dental College; Syracuse Eye and Ear Infirmary.

A division of the question was called for.

The President put the question on striking out the appropriation to the N. Y. Eye and Ear Infirmary, of 20,000, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	Kirby	Smith	Vanderbilt	
Conger					6

FOR THE NEGATIVE.

Bartlett	Bristol	Munroe	Taber	Ward	
Beekman	Huntington	Platt	VanSchoonhoven	Williams	
Bennett	Morgan				12

The President put the question on striking out the appropriation of \$5,000 to the Medical Department of the University of Buffalo, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol	Cooley	Otis	Smith	Vanderbilt	
Conger	Kirby				7

FOR THE NEGATIVE.

Babcock	Bennett	Munroe	Taber	Ward	
Bartlett	Davenport	Platt	VanSchoonhoven	Wright	
Beekman	Huntington				12

The call for a further division of the question was withdrawn.

Debate was then had on the remaining appropriations before mentioned.

The President announced the question to be on striking out the said appropriations.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to strike out, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bennett	Cooley	Newcomb	Smith	Ward	
Bristol	Kirby	Otis	Vanderbilt	Williams	
Conger					11

FOR THE NEGATIVE.

Babcock	Huntington	Platt	Upham	Wright	
Bartlett	McElwain	Taber	VanSchoonhoven		
					9

Mr. Conger moved to reconsider the vote refusing to strike out

the appropriation to the N. Y. Eye and Ear Infirmary, of \$20,000, and the appropriation of \$5,000 to the Medical Department of the University of Buffalo.

Mr. Cooley called for a division of the question.

The President put the question on reconsidering the vote on the first part of the proposition, viz: the appropriation of \$20,000 to the N. Y. Eye and Ear Infirmary.

The ayes and noes being called,

The President put the question whether the Senate would agree to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Vanderbilt
Bennett	Davenport	Munroe	Smith	VanSchoonhoven
Bristol	Kirby	Otis	Taber	Williams 15

FOR THE NEGATIVE.

Bartlett	Cooley	Morgan	Snow	Ward
Beckman	Huntington	Newcomb	Upham	Wright 10

The President announced the question to be on reconsidering the vote on the latter part of said proposition, viz, the appropriation of \$5,000 to the Medical Department of the University of Buffalo.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Vanderbilt
Bartlett	Cooley	Munroe	Smith	VanSchoonhoven
Bennett	Davenport	Newcomb	Taber	Williams 18
Bristol	Kirby	Otis		

FOR THE NEGATIVE.

Beckman	Snow	Upham	Ward	Wright 6
Huntington				

The President announced the question to be on striking out the appropriation of \$20,000 to the Eye and Ear Infirmary of New-York.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to strike out, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Vanderbilt
Bennett	Davenport	Munroe	Smith	VanSchoonhoven
Bristol	Kirby	Otis	Taber	Williams 15

FOR THE NEGATIVE.

Bartlett	Cooley	Morgan	Snow	Ward
Beckman	Huntington	Newcomb	Upham	Wright 10

The President announced the question to be on striking out the appropriation of \$5,000 to the Medical Department of the University of Buffalo.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to strike out, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Vanderbilt
Bartlett	Cooley	Munroe	Smith	Van Schoonhoven
Bennett	Davenport	Newcomb	Taber	Williams
Bristol	Kirby	Otis		18

FOR THE NEGATIVE.

Beckman	Morgan	Upham	Ward	Wright
Huntington	Snow			7

Mr. Conger moved to amend the report of the committee of the whole, by restoring the paragraph respecting additional allowance for clerk hire in the department of the Secretary of State, as in the printed bill.

Debate was had thereon, when

Mr. Conger withdrew his said motion.

Mr. Cooley moved to amend the report, as follows: Strike out all extra compensation for clerk hire in the following departments, to wit: the Comptroller's, Secretary of State, Treasurer, Adjutant General, State Engineer, Auditor of the Canal Department, Canal Commissioners, Attorney General, Canal Appraisers, including the Governor's private secretary.

Mr. Conger moved to amend, by striking out all appropriations for clerk hire or extra compensation to any persons employed in the above mentioned departments.

Mr. Cooley accepted the said amendment.

The ayes and noes were called.

The President put the question whether the Senate would agree to the said motion of Mr. Cooley as amended, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Munroe	Platt	Vanderbilt
Beach	Cooley	Newcomb	Smith	Van Schoonhoven
Beckman	McElwain	Otis	Snow	14

FOR THE NEGATIVE.

Bennett	Davenport	Kirby	Ward	Wright
Bristol	Huntington	Morgan	Williams	9

Mr. Cooley moved to amend the report of the committee of the whole, by striking out the paragraph relating to the appropriation for the pay of members of the legislature for the present extra session.

Pending said motion, the hour of a quarter to two o'clock, p. m. having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Bartlett presented the petition of trustees of the Delaware literary institute, praying for an act confirming their official acts, and asked and obtained leave to introduce a bill entitled "An act to confirm and legalise the official acts of the trustees of the Delaware literary institute," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Otis	VanSchoonhoven
Bartlett	Conger	Kirby	Smith	Ward
Beekman	Cooley	Morgan	Snow	Williams
Bennett	Davenport	Newcomb	Vanderbilt	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent,

The Assembly bill entitled "An act to confirm the title of John Hawkins to a certain piece of land," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.*

Babcock	Cooley	Morgan	Platt	VanSchoonhoven
Beekman	Davenport	Munroe	Smith	Ward
Bennett	Huntington	Newcomb	Snow	Williams
Bristol	Kirby	Otis	Vanderbilt	Wright
Conger	McElwain			22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Morgan presented the petition of merchants of the city of New-York, for a repeal of the law compelling banks to publish weekly statements, which was referred to the committee on banks and insurance companies.

By unanimous consent,

The Assembly bill entitled "An act to amend an act entitled

'An act to provide for the incorporation of Life and Health insurance companies, and in relation to agencies of such companies,' passed June 24, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	McElwain	Otis	Upham	
Beekman	Cooley	Morgan	Platt	Ward	
Bennett	Davenport	Munroe	Smith	Wright	
Bristol	Kirby	Newcomb	Snow		19

FOR THE NEGATIVE.

Williams		1
----------	--	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Kirby, and by unanimous consent,

Resolved, That the Assembly bill for the relief of Elizabeth Barron, be taken from the general orders and ordered to a third reading.

By unanimous consent,

The Assembly bill entitled "An act to release the interest of the people of this State in certain lands to Elizabeth Barron, and to authorise her to hold and convey the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Otis	Upham	
Bartlett	Conger	McElwain	Platt	Vanderbilt	
Beach	Cooley	Morgan	Smith	Williams	
Beekman	Davenport	Munroe	Snow	Wright	
Bennett	Huntington	Newcomb			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Beekman, from the select committee, to which was referred the Assembly bill entitled "An act in relation to the Marine court of the city of New-York," with power to report complete, so reported with amendments, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act making it a

penalty to avoid gate number two, on the Medina and Alabama plank road," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Bennett, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act amending chapter eleven, of the Laws of 1849, entitled 'An act relating to highways in the towns of Eastchester and White Plains,' passed January 24, 1849," with power to report complete, so reported, and said bill was ordered to a third reading.

The President announced the special order, whereupon Mr. Upham moved to lay the same upon the table.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beech	Bristol	Platt	Upham	Williams	
Beckman	Cooley	Smith	VanSchoonhoven	Wright	
Bennett	Kirby	Snow	Ward		14

FOR THE NEGATIVE.

Babcock	Davenport	Morgan	Newcomb	Taber	
Bartlett	McElwain	Munroe	Otis	Vanderbilt	
Conger					11

The Assembly bill entitled "An act to incorporate the Niagara ship canal company," having been read the third time,

Mr. Conger moved to recommit said bill to the select committee, with instructions to strike out the twenty-second section, and called for a division of the question.

The President announced the question to be on striking out the first part of said section.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to strike out the first part of said section, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Conger			3
---------	---------	--------	--	--	---

FOR THE NEGATIVE.

Bennett	Kirby	Platt	Upham	Ward	
Clark	Morgan	Smith	VanSchoonhoven	Wright	
Huntington	Newcomb	Snow			13

The President announced the question to be on striking out the second part of said section.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to strike out the second part of said section, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Munroe	3
---------	--------	--------	---

FOR THE NEGATIVE.

Bennett	Huntington	Newcomb	Snow	Ward	
Bristol	Kirby	Platt	Upham	Wright	
Davenport	Morgan	Smith	VanSchoonhoven		14

Mr. Babcock moved to recommit said bill, with instructions to insert as section twenty-second, the following:

§ 22. Each stockholder of this company shall be individually liable to the creditors thereof, to an amount equal to the amount unpaid on the stock held by him, for all the debts and liabilities of such company, until the whole amount of the capital stock so held by him, shall have been paid to the company; and all the stockholders of said company shall be jointly and severally liable for all the debts due or owing to any of its laborers and servants, for services performed for such corporation; but shall not be liable to an action therefor, before an execution shall be returned unsatisfied in whole or in part against the corporation; and then the amount due on such execution, shall be the amount recoverable with costs against such stockholders.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Munroe	4
---------	--------	----------	--------	---

FOR THE NEGATIVE.

Beach	Cooley	Kirby	Smith	VanSchoonhoven	
Bennett	Davenport	Newcomb	Snow	Ward	
Bristol	Huntington	Platt	Upham	Wright	15

Mr. Babcock moved to recommit, with instructions to amend by adding the following, as section twenty-three:

§ 23. This corporation shall possess the powers and privileges, and be subject to the provisions contained in title three, of chapter eighteen, of the first part of the Revised Statutes, except the provisions contained in the seventh section of said title.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Conger	McElwain	Munroe	5
---------	---------	--------	----------	--------	---

FOR THE NEGATIVE.

Bartlett	Davenport	Newcomb	Snow	Ward	
Beckman	Huntington	Platt	Upham	Wright	
Bennett	Kirby	Smith	VanSchoonhoven		14

Mr. Babcock moved to recommit, so as further to amend by adding as section twenty-four, the following:

§ 24. Said corporation shall annually, on the 31st day of December, make a report to the Commissioners of the Canal Fund, in such form and containing such items as shall from time to time be required by such Commissioners.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Munroe	Williams	6
Bartlett					

FOR THE NEGATIVE.

Bennett	Huntington	Otis	Snow	Ward	
Bristol	Kirby	Platt	Upham	Wright	
Davenport	Newcomb	Smith	VanSchoonhoven		14

Mr. Babcock moved to recommit, with instructions to add as section twenty-five, as follows:

§ 25. Nothing in this act contained shall be construed to prevent the people of the State of New-York, from constructing any canal between Lake Erie and Ontario, or around the Falls of Niagara, upon or over any land owned or claimed by the corporation created by this act, without making any compensation to such corporation for the loss of or diversion of any trade or business from the canal of such corporation, or for any interference with the privileges of such corporation; and the State shall only make compensation for lands taken that may be owned by such corporation.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Munroe	Ward	5
---------	--------	----------	--------	------	---

FOR THE NEGATIVE.

Bennett	Huntington	Platt	Upham	Williams	
Bristol	Kirby	Smith	Vanderbilt	Wright	
Cooley	Otis	Snow	VanSchoonhoven		14

Mr. McElwain moved that the Senate do now adjourn.

The ayes and noes were called.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	McElwain	Munroe	3
-------	----------	--------	---

FOR THE NEGATIVE.

Babcock	Bristol	Kirby	Platt	Upham
Bartlett	Conger	Morgan	Smith	Van Schoonhoven
Beekman	Davenport	Newcomb	Snow	Ward
Bennett	Huntington	Otis	Taber	Williams 20

On motion of Mr. Otis,
The Senate took a recess until eight o'clock, p. m.

EIGHT O'CLOCK, P. M.

The Senate again met.

The President announced the question to be on the final passage of the bill entitled "An act to incorporate the Niagara ship canal company."

Mr. Beekman raised the point of order that said bill having been lost, a reconsideration of the vote on the final passage thereof, was out of order, being in conflict with the 26th rule of the Senate.

The President decided the point of order not well taken; that the motion to reconsider was made and carried without any objection being made to the said question being then put; and further, that the President feels confident that he put the question as follows: "The motion to reconsider will be considered as carried, if not objected to;" and that no objection was made, and the motion to reconsider was declared carried.

Mr. Beekman moved to commit said bill to the committee of the whole.

Debate was had thereon, when

Mr. Beekman withdrew his said motion.

Mr. Vanderbilt moved to recommit to a select committee, with instructions to insert the following, as section twenty-four:

§ 24. In case the canal revenues shall at any time hereafter be impaired by reason of the passage of this act, and the construction of the canal hereby authorised, the Legislature of this State reserves to itself the right to impose from time to time equitable tolls, to the extent of the estimated deficiency of such revenue, on persons and property transported on the said canal hereby authorised to be constructed, so that the people of this State may be relieved from taxation to that amount for the canal debt now existing, or hereafter to be created under and by virtue of the constitutional amendment passed at the session of the Legislature, should the same be adopted by the people of the State, and become a part of the Constitution thereof.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Beekman	Munroe	Vanderbilt	Williams	
Bartlett	Conger	Otis			8

FOR THE NEGATIVE.

Bennett	Cooley	Morgan	Smith	VanSchoonhoven	
Bristol	Davenport	Newcomb	Snow	Wright	
Clark	Huntington	Platt	Upham		14

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Newcomb	Smith	VanSchoonhoven	
Bennett	Davenport	Otis	Snow	Williams	
Bristol	Huntington	Platt	Upham	Wright	
Clark	Kirby				17

FOR THE NEGATIVE.

Babcock	Beekman	Conger	Munroe		4
---------	---------	--------	--------	--	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Cooley, the Senate at 10½ o'clock, p. m., adjourned to nine o'clock, a. m. to-morrow.

SATURDAY, JULY 16, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

On motion of Mr. Smith, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of G. O. 442, being "An act to authorise the Herman plank road company to construct two toll gates upon their road, within three miles of each other," and that the same be ordered to a third reading.

Mr. Vanderbilt moved a reconsideration of the vote on the final passage of the bill entitled "An act concerning appeals."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Vanderbilt,

Said bill was recommitted to the committee on the judiciary, with power to report complete.

The President announced the special order, it being the bill

entitled "An act to provide for certain expenses of government," and the question as being on the motion of Mr. Cooley, to amend the report of the committee of the whole, by striking out the appropriation for the pay of members of the Legislature, for the extra session of 1853.

Debate was had thereon, when

Mr. Williams called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bennett	Cooley	Pierce		3
---------	--------	--------	--	---

FOR THE NEGATIVE.

Babcock	Clark	Kirby	Otis	Upham
Bartlett	Conger	Morgan	Platt	Williams
Beekman	Davenport	Munroe	Smith	Wright
Bristol	Huntington	Newcomb		

18

Mr. Beach moved to amend the report of the committee of the whole, by adding the following: "To George Humphreys, county judge of Cayuga county, for taking and copying for Governor, testimony taken in relation to the State prison inspectors, the sum of three hundred dollars."

Debate was had thereon, when

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Bristol	Morgan	Taber	Vanderbilt
Beekman	Clark	Newcomb	Upham	Wright
Bennett	Huntington			

12

FOR THE NEGATIVE.

Bartlett	Cooley	Munroe	Pierce	Smith
Conger	Davenport	Otis	Platt	VanSchoonhoven

10

Mr. Wright moved to amend the report of the committee of the whole, by inserting in the 114th line the following, instead of the present paragraph: "To Ira P. Barnes, Clerk of the Senate, eight dollars a day as aforesaid;" "To Henry J. Sickles, Charles R. Dayton, and George C. Vernam, deputy clerks of the Senate, each six dollars a day for each day's service as aforesaid."

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Pierce	Taber	Wright
Clark	Otis	Smith	VanSchoonhoven	

9

FOR THE NEGATIVE.

Beach	Bennett	Cornell	Huntington	Upham	
Beekman	Bristol	Davenport	Snow	Vanderbilt	10

Mr. Van Schoonhoven moved to amend the report of the committee of the whole, by reducing the compensation of the clerks of the Senate and Assembly, to ten dollars per day.

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Munroe	Pierce	Vanderbilt	
Beach	Davenport	Newcomb	Smith	VanSchoonhoven	
Clark	Morgan	Otis	Taber	Wright	
Conger					16

FOR THE NEGATIVE.

Bartlett	Bennett	Cornell	Kirby	Snow	
Beekman	Bristol	Huntington			8

Mr. Van Schoonhoven moved further to amend the report of the committee of the whole, by reducing the pay of deputy clerks of the Senate and Assembly, to six dollars per day.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Newcomb	Smith	Vanderbilt	
Clark	Morgan	Otis	Snow	VanSchoonhoven	
Conger	Munroe	Pierce	Taber	Wright	16

FOR THE NEGATIVE.

Beekman	Bristol	Davenport	Huntington	Kirby	
Bennett	Cornell				7

Mr. Smith moved to amend the report of the committee of the whole, by reducing the compensation of Sergeant-at-arms, door keepers, post master and janitor, to three dollars per day.

Mr. Wright called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Conger	Newcomb	Smith	Vanderbilt	Wright	
Cooley	Otis	Snow	VanSchoonhoven		9

FOR THE NEGATIVE.

Babcock	Bristol	Davenport	Kirby	Munroe	
Beekman	Clark	Huntington	Morgan	Upham	
Bennett	Cornell				12

Mr. Van Schoonhoven moved further to amend the report of the committee of the whole, by reducing the compensation of the last named officers to three dollars per day, with the addition of the same mileage as allowed Senators.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative as follows:

FOR THE AFFIRMATIVE.

Cooley	Smith	VanSchoonhoven	3
--------	-------	----------------	---

FOR THE NEGATIVE.

Babcock	Bristol	Davenport	Munroe	Platt	
Bartlett	Clark	Huntington	Newcomb	now	
Beckman	Conger	Kirby	Otis	Taber	
Bennett	Cornell	Morgan	Pierce	Williams	20

Mr. Smith moved to amend the report of the committee of the whole, by striking out the appropriation of \$25,000 to the incorporated hospitals in this State, in the paragraph commencing on the 253d line.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Cornell	Otis	Smith	
Bennett	Conger	Davenport	Pierce		9

FOR THE NEGATIVE.

Bartlett	Cooley	Munroe	Snow	Vanderbilt	
Beckman	Huntington	Newcomb	Taber	Van Schoonhoven	
Clark	Kirby	Platt	Upham	Williams	15

Mr. Van Schoonhoven moved to amend the report of the committee of the whole, by adding at the end of the 121st line, as follows: "and the same mileage as is allowed by law to Senators."

Debate was had thereon, when

Mr. Van Schoonhoven withdrew his said motion.

Mr. Morgan moved to amend the report of the committee of the whole, by striking out the word "three" in the 140th line, and inserting "four."

Mr. Babcock moved to amend said motion, as follows: "That the bill be recommitted to the committee on finance, with instructions to amend the bill so as to give a suitable number of the officers of the Assembly of the same grade with the officers of the Senate, \$4 per day, and the residue of the officers of the Assembly, \$3 per day."

Mr. Huntington called for a division of the question.

The President announced the question to be on the motion to recommit said bill to the committee on finance.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bartlett	Clark	Pierce	4
---------	----------	-------	--------	---

FOR THE NEGATIVE.

Beach	Codley	Kirby	Platt	Taber
Beekman	Cornell	Morgan	Smith	Vanderbilt
Bennett	Davenport	Newcomb	Snow	Wright
Bristol	Huntington	Otis		18

The President then announced the question to be on the original motion of Mr. Morgan, viz : Strike out the word "three" in the 140th line, and insert "four."

Mr. Morgan called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Newcomb	Snow
Bartlett	Clark	Kirby	Otis	Taber
Beekman	Cooley	Morgan	Platt	Vanderbilt
Bennett	Davenport	Munroe		18

FOR THE NEGATIVE.

Cornell	Pierce	Smith	3
---------	--------	-------	---

Mr. Smith moved to amend the report of the committee of the whole, as follows: "To James R. Smith, as messenger of the Assembly, at the rate of one dollar and fifty cents per day, at the regular session, and at the extra session for the year 1853."

Mr. Beach moved to amend, by adding the following: "In case said Smith shall have received pay in any capacity for services at either of said sessions, such amount shall be deducted from the amount hereby appropriated."

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Kirby	Otis	Van Schoonhoven
Beach	Cooley	Munroe	Pierce	Williams
Beekman	Huntington	Newcomb	Taber	Wright
Bennett				16

FOR THE NEGATIVE.

Bartlett	Cornell	Platt	Smith	Snow
Conger	Davenport			7

The President then announced the question to be on the original motion of Mr. Smith, as amended.

Mr. Platt called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bennett	Munroe	Smith	Williams
Beach	Bristol	Newcomb	Snow	Wright
Beekman	Kirby	Otis		

13

FOR THE NEGATIVE.

Clark	Cooley	Huntington	Pierce	Platt
Conger	Davenport	Morgan		

8

Mr. Cooley moved to recommit said bill, with instructions to strike out in the 291st and 292d lines, the words "provided, however, that no asylum shall be entitled to receive more than four thousand five hundred dollars."

Mr. Cornell called for a division of the question.

The President announced the question to be on recommitting said bill to the committee on finance.

Debate was had thereon, when

Mr. Cooley withdrew his said motion.

By unanimous consent,

Mr. Conger moved to amend the report of the committee of the whole, by adding a new paragraph, as follows: "For the compensation of the members of the Senate composing, and of their officers actually attending upon the court for the trial of impeachments, the sum of five thousand dollars."

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Kirby	Otis	Snow
Beach	Conger	Morgan	Pierce	Taber
Beekman	Huntington	Newcomb	Smith	VanSchoonhoven
Bristol				

16

FOR THE NEGATIVE.

Cooley	Vanderbilt	Wright
--------	------------	--------

3

Mr. Platt moved to recommit said bill to the committee on finance, with instructions to strike out the paragraph relating to the pay of messengers of the Assembly, and insert the following: "To the messengers of the Assembly, each at the rate of \$1.50 for each day service was rendered; but the sons of members shall not be allowed any pay."

Mr. Cornell called for a division of the question.

The President announced the question to be on the motion to recommit said bill.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to recommit said bill, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Morgan	Newcomb	Platt	Williams
Clark	Manroe	Pierce	VanSchoonhoven	Wright
Cooley				

11

FOR THE NEGATIVE.

Beckman	Conger	Davenport	Otis	Snow
Bennett	Cornell	Kirby	Smith	Vanderbilt
Bristol				

11

Mr. Cooley moved to recommit said bill to the committee on the judiciary, with instructions to enquire into the constitutionality of appropriating money for the compensation of such messengers of the Assembly as are sons of members of the Legislature.

Debate was had thereon, when

Mr. Cooley withdrew his motion.

Mr. Smith moved to amend the report of the committee, by striking out all appropriations to dispensaries.

Debate was had thereon, when

Mr. Otis moved that the Senate do adjourn.

Mr. Cornell called for the ayes and noes.

While the roll was being called, the hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act relative to the Lansingburgh plank road company."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Platt	Taber
Bartlett	Cooley	Morgan	Rogers	VanSchoonhoven
Beach	Cornell	Newcomb	Smith	Williams
Bennett	Davenport	Pierce	Snow	Wright
Clark	Huntington			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

Mr. Pierce, from the committee on canals, to which was referred the Assembly bill entitled "An act prescribing regulations for disbursements upon the canals and for other purposes," reported in favor of the passage of the same without amendment.

Said bill was referred to the committee of the whole having in charge the tax and toll bill.

By unanimous consent,

The Assembly bill entitled "An act to authorise the Herman plank road company to construct two toll gates upon their road within three miles of each other," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Huntington	Newcomb	Snow
Bartlett	Cooley	McElwain	Platt	Van Schoonhoven
Bennett	Cornell	Morgan	Rogers	Williams
Clark	Davenport	Munroe	Smith	Wright 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to confirm and amend the charter of the village of Morrisville,' passed April 12, 1851," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the act entitled 'An act to amend the act incorporating the village of Schuylerville, and to extend its boundaries,' passed May 26, 1853," with power to report complete, so reported.

By unanimous consent,

Said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Newcomb	Smith
Bartlett	Conger	McElwain	Pierce	Snow

Beach	Cooley	Morgan	Platt	Taber
Bennett	Cornell	Munroe	Rogers	Wright
Bristol	Davenport			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Bennett, from the committee on the internal affairs of towns and counties, to which was referred the bill entitled "An act for the construction of a drain in the town of Warsaw," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to repeal an act entitled 'An act to facilitate the service of process in certain cases,' passed June 30, 1853," reported the same for the consideration of the Senate, and said bill was referred to a select committee, with power to report complete.

The President appointed as such committee, Messrs. Pierce, Van Schoonhoven and Cooley.

By unanimous consent,

The Assembly bill entitled "An act to provide for certain expenses for railroad purposes in the town of North Dansville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Davenport	Newcomb	Snow
Bartlett	Conger	Huntington	Pierce	Vanderbilt
Beach	Cooley	McElwain	Platt	Williams
Bennett	Cornell	Morgan	Rogers	Wright
Bristol				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

The Assembly bill entitled "An act for the relief of the Philipsville and Belfast plank road company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Platt	Vanderbilt
Bartlett	Clark	McElwain	Rogers	Williams

Beach
BennettCooley
DavenportMorgan
Newcomb

Snow

Wright

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Babcock, and by unanimous consent,

The bill entitled "An act for the incorporation of companies formed to navigate lakes, rivers and canals," was referred to the same committee of the whole having in charge the tax and toll bill.

By unanimous consent,

Mr. Platt offered for the consideration of the Senate, a resolution, in the words following, to wit:

Resolved, That Assembly bill granting relief to Lydia Hardén, be taken from the committee of the whole, and ordered to a third reading.

By unanimous consent,

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 48, of article four, title eight, chapter twenty, part first of the Revised Statutes, of raffling and lotteries," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

The Assembly bill entitled "An act to incorporate the trustees of the fund for aged and infirm clergymen of the Protestant Episcopal church in the diocese of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett
Beach
Clark
CooleyDavenport
Huntington
McElwain
MorganNewcomb
Platt
RogersSmith
Snow
TaberUpham
Vanderbilt
Wright

17

FOR THE NEGATIVE.

Conger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills:

"An act in relation to the Brooklyn, Flatbush and Canarsie plank road company."

"An act relative to certain mortgages made by the Freeman's Hall association of the city of Brooklyn."

"An act to incorporate the Leffert's park association."

"An act to confirm the official acts of the trustees of the Delaware Literary Institute."

"An act for the relief of the New-Berlin and Brookfield plank road company."

"An act to amend the charter of the Marine society of the city of New-York, in the State of New-York."

"An act authorising the congregation Shaari Rochmim to increase the number of its trustees."

Ordered, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act in relation to the office of the register of deeds of the city and county of New-York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary, to report complete.

- A bill was received from the Assembly for concurrence, entitled
- "An act to amend section seven, of title second, of chapter five, of part third of the Revised Statutes, relative to proceedings to compel the determination of claims to real property in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of the heirs and next of kin of John Blacksmith," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act constituting the village of Glens Falls a separate road district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

A bill was received from the Assembly for concurrence, entitled "An act authorising the appointment of a police constable in the village of Malone," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the supervisor of the town of Plattsburgh, to sell and convey the lot and buildings thereon known as the poor house lot," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to require the Canal Appraisers to examine and report upon the claims of Jacob Gfaves, Charles J. Hill, and others claiming damages from the State, for the diversion of the waters

of the Genesee river," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on claims.

On motion of Mr. Vanderbilt, the committee on the judiciary were discharged from the further consideration of the bill entitled "An act to confirm the official acts of John C. Biggs, a justice of the peace of the town of Esperance."

On motion of Mr. Bartlett, and by unanimous consent,
Said bill was ordered to a third reading.

Also, "An act to divide the sixth judicial district of New-York."

On motion of Mr. Morgan, and by unanimous consent,
Said bill was ordered to a third reading.

On motion of Mr. Vanderbilt, the committee on the judiciary were discharged from the further consideration of the following entitled bills, and the same were committed to the committee of the whole.

"An act to amend section 32, of chapter 470, of an act passed December 14, 1847, in relation to the judiciary act, passed May 12, 1847."

"An act further to amend the act entitled 'An act to abolish imprisonment for debt, and to punish fraudulent debtors,' passed April 26, 1831."

"An act for the relief of Betsy McIntosh."

"An act authorising the payment of a sum of money to Augustus Cornwall, for giving information of an escheat."

"An act authorising the electors of the town of Ellishburgh, in the county of Jefferson, to hold a special town meeting, and elect a justice of the peace in addition to the four already provided for, and to allow the said electors, thereafter at their annual town meetings, to elect five instead of four justices of the peace, for said town."

"An act to change the name of Loring Brewster, to William L. Brewster."

"An act for the relief of Joseph L. Snow, and Hiram Carpenter, for fees and perquisites accruing to them as loan commissioners in the county of Saratoga."

"An act to provide for the payment of certain costs, damages and expenses, to Peter Clogher."

"An act for the relief of the heirs at law of William Griffin, deceased."

"An act to change the name of George Mulford, to George Gardiner."

"An act to provide for an additional justice of the peace in the town of Lenox, in the county of Madison"

"An act to amend the Revised Statutes, in relation to courts of special sessions, and to regulate the police of the town of Athens."

"An act for the relief of Benjamin F. Green."

"An act to amend an act entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor, in the city and county of New-York,' passed July 11, 1851."

The President announced the special order.

Mr. Smith moved to reconsider the vote taken on the 13th inst., to strike out all appropriations to dispensary purposes."

The ayes and noes being called,

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babeock	Bennett	Conger	McElwain	Smith	
Bartlett	Bristol	Cornell	Pierce	Williams	
Beach	Clark	Davenport	Rogers		14

FOR THE NEGATIVE.

Cooley	Morgan	Platt	Taber	VanSchoonhoven	
Huntington	Newcomb	Snow	Upham		9

The President announced the question to be on striking out the several items of appropriations for dispensary purposes.

By unanimous consent,

The journal of the 13th inst., was amended, by inserting in relation to said dispensary purposes, the following, viz: "from line 261, to 264, inclusive; and from line 276 to 294, inclusive."

The President announced the question to be on striking out the items embraced between the aforesaid lines.

The ayes and noes being called,

The President put the question whether the Senate would agree to strike out, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babeock	Bristol	Cornell	Rogers	Snow	
Bartlett	Clark	McElwain	Smith	Williams	
Beach	Conger	Pierce			13

FOR THE NEGATIVE.

Bennett	Morgan	Newcomb	Taber	Vanderbilt	
Cooley	Munroe	Platt	Upham	Van Schoonhoven	
Huntington					11

Mr. Vanderbilt moved the following resolution:

Resolved, That the clause making appropriation to the orphan asylums, commencing on line 286, be inserted in the bill.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Cooley	Munroe	Upham	Williams	
Bennett	Davenport	Platt	Vanderbilt	Wright	
Clark	Huntington	Taber	VanSchoonhoven		14

FOR THE NEGATIVE.

Babcock	Conger	Morgan	Pierce	Smith	
Bartlett	Cornell	Newcomb	Rogers	Snow	
Bristol	McElwain				12

Mr. Vanderbilt offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That this bill be recommitted, with instructions to insert the appropriations for dispensaries as they appear on the original printed bill: To the New-York dispensary, the Brooklyn and Williamsburgh dispensaries, the Albany and Troy hospitals, the Rochester, Oswego, and Buffalo hospitals.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Morgan	Munroe	Platt	VanSchoonhoven	4
--------	--------	-------	----------------	---

FOR THE NEGATIVE.

Babcock	Bristol	Cornell	McElwain	Smith	
Bartlett	Clark	Davenport	Newcomb	Taber	
Beach	Conger	Huntington	Rogers	Williams	
Bennett					16

Mr. Bristol moved to reconsider the vote, restoring the appropriations to the several orphan asylums.

The ayes and noes being called,

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	McElwain	Rogers	Snow	
Bristol	Cornell	Platt	Smith		9

FOR THE NEGATIVE.

Babcock	Davenport	Taber	VanSchoonhoven	Williams	
Cooley	Huntington	Vanderbilt			8

Mr. Cooley moved that the Senate do now adjourn.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley	Huntington	McElwain	VanSchoonhoven	4
--------	------------	----------	----------------	---

FOR THE NEGATIVE.

Babcock	Conger	Platt	Smith	Taber	
Bartlett	Cornell	Rogers	Snow	Williams	
Bristol	Davenport				17

Mr. Cooley moved that the Senate take a recess until 8 o'clock,
p. m.

Mr. McElwain called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley	Huntington	Rogers	Taber	4
--------	------------	--------	-------	---

FOR THE NEGATIVE.

Babcock	Clark	Davenport	Platt	Snow	
Bartlett	Conger	McElwain	Smith	Williams	
Bristol	Cornell	Morgan			13

Mr. Cooley moved to take a recess to half-past seven o'clock.

Mr. Smith called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley	Huntington	Rogers	Taber	4
--------	------------	--------	-------	---

FOR THE NEGATIVE.

Babcock	Bristol	Cornell	Morgan	Snow	
Bartlett	Clark	Davenport	Platt	VanSchoonhoven	
Beach	Conger	McElwain	Smith	Williams	15

Mr. Rogers moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley	Huntington	Morgan	Rogers	VanSchoonhoven	5
--------	------------	--------	--------	----------------	---

FOR THE NEGATIVE.

Babcock	Bristol	Cornell	Platt	Taber	
Bartlett	Clark	Davenport	Smith	Williams	
Beach	Conger	McElwain	Snow		14

Mr. Cooley moved a recess till seven o'clock.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley	Morgan	2
--------	--------	---

FOR THE NEGATIVE.

Babcock	Clark	Davenport	Platt	Taber	
Bartlett	Conger	McElwain	Smith	VanSchoonhoven	
Beach	Cornell	Newcomb	Snow	Williams	
Bristol					16

Mr. Cooley moved a recess until a quarter past seven o'clock.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley	McElwain	Morgan		3
--------	----------	--------	--	---

FOR THE NEGATIVE.

Babcock	Bristol	Cornell	Rogers	Taber
Bartlett	Clark	Davenport	Smith	VanSchoonhoven
Beach	Conger	Platt	Snow	Williams 15

Mr. Van Schoonhoven moved that the Senate do now adjourn.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley	Huntington	Morgan	Platt	VanSchoonhoven
				5

FOR THE NEGATIVE.

Babcock	Bristol	Cornell	Newcomb	Snow
Bartlett	Clark	Davenport	Rogers	Williams
Beach	Conger	McElwain	Smith	14

Mr. Cooley moved that the Senate take a recess until ten minutes past eight o'clock.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley	Morgan	Newcomb	VanSchoonhoven	4
--------	--------	---------	----------------	---

FOR THE NEGATIVE.

Babcock	Bristol	Cornell	Rogers	Snow
Bartlett	Clark	Davenport	Smith	Williams
Beach	Conger	McElwain		13

Mr. Cooley moved that the Senate do now adjourn.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Huntington	Newcomb	Taber	VanSchoonhoven
Cooley				6

FOR THE NEGATIVE.

Bartlett	Conger	Davenport	Rogers	Snow
Bristol	Cornell	McElwain	Smith	Williams
Clark				11

After debate had,
 Mr. Van Schoonhoven moved that the Senate do now adjourn.
 Mr. Conger called for the ayes and noes.
 The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley	Huntington	Taber	VanSchoonhoven	4
--------	------------	-------	----------------	---

FOR THE NEGATIVE.

Bartlett	Clark	Davenport	Rogers	Snow	
Beach	Conger	McElwain	Smith	Williams	
Bristol	Cornell	Newcomb			13

Mr. Cooley moved that the Senate do now take a recess to half-past eight o'clock.

Mr. Van Schoonhoven moved to amend, by inserting "9 o'clock."

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley	Taber	VanSchoonhoven	3
--------	-------	----------------	---

FOR THE NEGATIVE.

Babcock	Clark	Davenport	Newcomb	Snow	
Beach	Conger	Huntington	Rogers	Williams	
Bristol	Cornell	McElwain	Smith		14

Mr. Van Schoonhoven moved to amend, by inserting 8½ o'clock.

Mr. Babcock moved that the Senate do now adjourn.

Mr. Babcock called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Huntington	Taber	VanSchoonhoven	5
---------	--------	------------	-------	----------------	---

FOR THE NEGATIVE.

Bristol	Cornell	McElwain	Rogers	Snow	
Clark	Davenport	Newcomb	Smith	Williams	
Conger					11

Mr. Conger moved a call of the Senate.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then directed the galleries and lobbies to be cleared, and the doors closed.

The President then directed the roll to be called, when the following Senators answered to their names:

Beach	Conger	Huntington	Rogers	Taber
Bennett	Cooley	McElwain	Smith	VanSchoonhoven
Bristol	Cornell	Newcomb	Snow	Williams
Clark	Davenport	Platt		18

Mr. Clark moved to suspend all further proceedings under the call.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on the amendment of Mr. Van Schoonhoven, to take a recess to 8½ o'clock.

Mr. Van Schoonhoven modified his amendment, by inserting "five minutes to nine o'clock."

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Cooley	Newcomb	Taber	VanSchoonhoven
				5

FOR THE NEGATIVE.

Bartlett	Clark	Davenport	Platt	Snow
Bennett	Conger	Huntington	Rogers	Williams
Bristol	Cornell	McElwain	Smith	14

Mr. Van Schoonhoven moved to amend, by inserting "five minutes after nine."

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley	VanSchoonhoven	2
--------	----------------	---

FOR THE NEGATIVE.

Bartlett	Bristol	Davenport	Newcomb	Smith
Beach	Clark	Huntington	Platt	Snow
Bennett	Cornell	McElwain	Rogers	Williams
				15

By unanimous consent,

Mr. Clark offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the supply bill be made the special order for Monday, at half-past nine o'clock, a. m., and the same be proceeded with until finally disposed of without debate.

On motion of Mr. Cooley,

The Senate adjourned to nine o'clock, a. m., Monday.

MONDAY, JULY 18, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Selkirk.

The journal of Saturday was read and approved.

Mr. Conger, from the committee on literature, to which was re-committed the Assembly bill entitled "An act to incorporate the Young Men's Association of Ogdensburgh," reported adversely.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the affirmative.

Mr. Conger, from the committee on finance, to which were referred several petitions asking that measures be adopted to protect the public interest against a combination formed at Syracuse, in regard to the manufacture and sale of salt, reported in writing.

Ordered, That said report be laid on the table and printed.

(See Doc. No 84.)

The President announced the special order, it being the bill entitled "An act to provide for certain expenses of government."

The President announced the question to be on the motion of Mr. Vanderbilt, to restore the appropriations to the Orphan Asylums.

Mr. Vanderbilt withdrew his said motion.

Mr. Cooley moved to amend the report of the committee of the whole, by striking out the paragraph appropriating one thousand dollars to the trustees of the capitol.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Smith moved to strike out the paragraph appropriating ten thousand dollars to the Institution for the Blind in the city of New-York.

Mr. Morgan called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Rogers Smith

2

FOR THE NEGATIVE.

Babcock	Bristol	Huntington	Otis	Vanderbilt
Bartlett	Clark	Morgan	Platt	Van Schoonhoven
Bennett	Cooley	Newcomb	Taber	Williams

15

Mr. Smith moved to reconsider the vote on striking out the paragraph appropriating \$25,000 to the incorporated hospitals of the State.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

On motion of Mr. Babcock, and by unanimous consent,

The words "six hundred and thirty," in the 391st and 392d lines, were stricken out, and the words "three hundred" inserted in lieu thereof.

On motion of Mr. McElwain, and by unanimous consent,

The paragraph commencing on the 416th line, was stricken out.

Mr. Van Schoonhoven moved to amend the report of the committee of the whole, by adding the following paragraphs:

For one hundred and six copies of Debates of Constitutional Convention, furnished by the proprietors of the Albany Argus to members, officers, and reporters of the Assembly of 1852, pursuant to a resolution of the Assembly, three hundred and seventy-one dollars.

For fifty-one copies of the Debates of the Constitutional Convention, furnished by the proprietors of the Albany Atlas, to the members of the Assembly of 1852, pursuant to a resolution of the Assembly, \$178.50. For one hundred and fifty-five copies of the Revised Statutes, third edition, three volumes, furnished by Little & Co., to members of the Assembly of 1852, pursuant to a resolution of the Assembly, \$2,325.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bennett	Cooley	Snow	Vanderbilt	Williams	
Bristol	Morgan	Taber	VanSchoonhoven	Wright	
Clark	Newcomb				12

FOR THE NEGATIVE.

Babcock	Cornell	Jones	Otis	Platt	
Conger	Huntington	McElwain	Pierce	Rogers	10

Mr. Babcock moved to amend the report of the committee of the whole, by adding a paragraph, as follows:

To the Firemen's Benevolent Association of the city of Buffalo, five hundred dollars.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Newcomb	Wright			3
---------	---------	--------	--	--	---

FOR THE NEGATIVE.

Bartlett	Clark	Cornell	Otis	Taber	
Beach	Conger	Jones	Smith	Vanderbilt	
Bennett	Cooley	McElwain	Snow	Williams	
Bristol					16

Mr. Babcock moved to amend the report of the committee of the whole, by striking out the paragraph as follows: "To the widows' and orphans' fund of the New-York fire department, two thousand dollars."

The ayes and noes being called,

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Platt	Snow	
Beach	Clark	McElwain	Rogers	Williams	
Beanagt	Conger	Pierce	Smith		14

FOR THE NEGATIVE.

Bartlett	Cornell	Newcomb	Taber	VanSchoonhoven	
Cooley	Morgan	Otis	Vanderbilt	Wright	10

Mr. Cooley moved a reconsideration of the vote just taken.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Newcomb	Taber	VanSchoonhoven	
Beach	Huntington	Otis	Vanderbilt	Wright	
Cooley	Morgan	Snow			13

FOR THE NEGATIVE.

Babcock	Conger	McElwain	Platt	Smith	
Bristol	Jones	Pierce	Rogers	Williams	
Clark					11

Mr. Smith moved to amend the report of the committee of the whole, by striking out the paragraph commencing on the 474th line, viz: "To N. F. Waring, &c."

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Jones	Pierce	Smith	Williams	
Bristol	McElwain	Platt	Snow	Wright	
Clark	Otis	Rogers			13

FOR THE NEGATIVE.

Babcock	Cooley	Morgan	Taber	Vanderbilt	
Conger	Cornell	Newcomb			8

Mr. Vanderbilt moved to reconsider the vote just taken.

The ayes and noes being called,

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Cornell	Otis	Taber
Beach	Conger	Morgan	Snow	Vanderbilt
Bennett	Cooley	Newcomb		

13

FOR THE NEGATIVE.

Bartlett	Jones	Pierce	Rogers	Williams
Clark	McElwain	Platt	Smith	Wright
Huntington				

11

The President then announced the question to be on striking out said paragraph.

Mr. Vanderbilt called for the ayes and noes.

The President put the question whether the Senate would agree to strike out, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Huntington	Pierce	Rogers	Williams
Clark	McElwain	Platt	Smith	Wright

10

FOR THE NEGATIVE.

Babcock	Bristol	Cornell	Newcomb	Taber
Beach	Conger	Jones	Otis	Vanderbilt
Bennett	Cooley	Morgan		

13

Mr. Taber moved to strike out the paragraph appropriating to Clark, Angel and Storms, State prison inspectors, expenses incurred in the investigations of charges preferred against them, with a view to their removal, the sum of \$1,282.14.

The ayes and noes being called,

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Huntington	Morgan	Otis	Platt
Clark	McElwain	Newcomb	Pierce	Taber
Cooley				

11

FOR THE NEGATIVE.

Bartlett	Bristol	Jones	Vanderbilt	Williams
Beach	Conger	Rogers	VanSchoonhoven	Wright
Bennett	Cornell	Smith		

13

Mr. Jones moved to amend the report of the committee of the whole, by striking out in the following paragraph, viz: "To George Humphreys, county judge of Cayuga county, for taking and copying for Governor, testimony in relation to State Prison Inspectors, the sum of three hundred dollars," the words "three hundred," and inserting the words "one hundred and fifty."

The ayes and noes being called,

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	Newcomb	Pierce	Rogers
Bartlett	Jones	Otis	Platt	VanSchoonhoven
Bennett	McElwain			12

FOR THE NEGATIVE.

Beach	Huntington	Smith	Taber	Williams
Clark	Morgan	Snow	Vanderbilt	Wright
Cooley				11

Mr. Beach moved to reconsider said vote.

By unanimous consent, it was passed over for the present.

Mr. Vanderbilt moved to recommit the bill to the committee on finance, with instructions to insert a provision providing that all laws passed at the present session of the Legislature, making appropriations to rivers and streams in the northern part of this State, are repealed.

A division of the question was called.

The ayes and noes being called,

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bennett	Morgan	Otis	Vanderbilt	VanSchoonhoven
Cooley	Newcomb	Pierce		8

FOR THE NEGATIVE.

Babcock	Clark	Huntington	Platt	Snow
Bartlett	Conger	Jones	Rogers	Taber
Bristol	Cornell	McElwain	Smith	Williams
				15

Mr. Cooley moved to reconsider the last vote.

The ayes and noes being called,

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Cooley	Newcomb	Pierce	Vanderbilt	VanSchoonhoven
Morgan	Otis	Taber		8

FOR THE NEGATIVE.

Babcock	Bristol	Cornell	McElwain	Smith
Bartlett	Clark	Huntington	Platt	Snow
Bennett	Conger	Jones	Rogers	Williams
				15

The President announced the question to be on amending the report of the committee of the whole, by striking out the appropriation to the widows' and orphans' fund of the New-York fire department.

Mr. Pierce moved to amend, as follows: To be assessed by the board of supervisors of the city and county of New-York, upon

the real and personal property of said county, and to be paid from the city treasury.

The ayes and noes being called,

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Pierce	Williams	
Bennett	Clark	McElwain	Rogers		9

FOR THE NEGATIVE.

Bartlett	Huntington	Otis	Snow	VanSchoonhoven	
Conger	Morgan	Platt	Taber	Wright	
Cooley	Newcomb	Smith	Vanderbilt		14

The President then announced the question to be on striking out said paragraph.

The ayes and noes being called,

The President put the question whether the Senate would agree to strike out, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Platt	Smith	
Bennett	Conger	Pierce	Rogers	Snow	
Bristol	Jones				12

FOR THE NEGATIVE.

Bartlett	Huntington	Newcomb	Taber	VanSchoonhoven	
Cooley	Morgan	Otis	Vanderbilt	Wright	
Cornell					11

The President announced the question to be on reconsidering the vote taken on reducing the compensation of George Humphreys from "three hundred dollars," to "one hundred and fifty dollars."

The ayes and noes being called,

The President put the question whether the Senate would agree to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Clark	Rogers	Snow	VanSchoonhoven	
Bennett	Huntington	Smith	Taber	Wright	
Bristol	Morgan				12

FOR THE NEGATIVE.

Babcock	Conger	McElwain	Pierce	Platt	
Bartlett	Jones	Otis			8

The President then announced the question to be on the amendment.

The ayes and noes being called,

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	McElwain	Pierce	VanSchoonhoven	
Bartlett	Jones	Otis	Platt		9

FOR THE NEGATIVE.

Beach	Clark	Morgan	Smith	Vanderbilt	
Bennett	Cooley	Newcomb	Snow	Wright	
Bristol	Huntington	Rogers	Taber		14

The President announced the question to be on restoring the paragraph making appropriations to the Orphan asylums:

The ayes and noes being called,

The President put the question whether the Senate would agree to restore, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beach	Jones	Pierce	Vanderbilt	Williams	
Cooley	Morgan	Taber	VanSchoonhoven	Wright	
Huntington	Otis				12

FOR THE NEGATIVE.

Babcock	Bristol	Cornell	Platt	Smith	
Bartlett	Clark	McElwain	Rogers	Snow	
Bennett	Conger	Newcomb			13

The President then announced the question to be on the motion of Mr. Smith, to strike out the appropriations to hospitals.

The ayes and noes being called,

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Cornell	Otis	Rogers	
Bartlett	Clark	Jones	Pierce	Smith	
Beach	Conger	McElwain	Platt		14

FOR THE NEGATIVE.

Cooley	Morgan	Snow	Vanderbilt	Williams	
Huntington	Newcomb	Taber	VanSchoonhoven	Wright	
					10

The President announced the question to be on agreeing with the report of the committee of the whole, as amended.

Mr. Vanderbilt called for the ayes and noes.

The President put the question whether the Senate would agree to the report of said committee as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Cornell	McElwain	Rogers	
Bartlett	Clark	Huntington	Otis	Smith	
Beach	Conger	Jones	Platt	Snow	15

FOR THE NEGATIVE.

Cooley	Newcomb	Taber	VanSchoonhoven	Williams	
Morgan	Pierce	Vanderbilt			

Mr. Morgan moved to recommit the bill to the committee on finance, with instructions to insert "one thousand dollars to the N. Y. Eye and Ear Infirmary."

Mr. Van Schoonhoven moved to amend, by adding appropriation to the two Orphan asylums in the city of Troy.

A division of the question being called for,

The President put the question whether the Senate would agree to recommit, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Morgan	Snow	Vanderbilt	Williams	
Cooley	Newcomb	Taber	VanSchoonhoven	Wright	10

FOR THE NEGATIVE.

Babcock	Clark	Huntington	Pierce	Rogers	
Bennett	Conger	Jones	Platt	Smith	
Bristol	Cornell	McElwain			13

Mr. Pierce moved to recommit said bill, with instructions to strike out the appropriations to Little & Co., for Revised Statutes and Constitutional Debates.

A division of the question was called for.

The President put the question whether the Senate would agree to recommit, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Pierce		1
--------	--	---

FOR THE NEGATIVE.

Babcock	Clark	Jones	Platt	Vanderbilt	
Bartlett	Conger	McElwain	Rogers	VanSchoonhoven	
Beach	Cooley	Morgan	Smith	Williams	
Bennett	Cornell	Newcomb	Snow	Wright	
Bristol	Huntington	Otis	Taber		24

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Otis	Smith	
Bartlett	Clark	McElwain	Platt	Snow	
Beach	Conger	Morgan	Rogers	Williams	
Bennett	Cornell	Newcomb			18

FOR THE NEGATIVE.

Cooley	Pierce	Vanderbilt	VanSchoonhoven	Wright	
Jones	Taber				7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The President having decided the said bill to be a three-fifth bill, and duly passed, Mr. Van Schoonhoven appealed from the decision of the chair, on the ground that it required a two-third vote.

Mr. Van Schoonhoven withdrew his said appeal.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act in relation to confinement of juvenile offenders under sentences in the courts of the United States."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Otis	Smith
Beach	Cooley	McElwain	Pierce	Snow
Bennett	Cornell	Morgan	Platt	Vanderbilt
Bristol	Huntington	Newcomb	Rogers	Williams
Clark				

21

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of Oliver P. Buck," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A message from the Assembly was received and read, informing that they had non-concurred in the amendments of the Senate, to the following entitled bill:

"An act to provide for the completion of the tax roll, when it shall have been omitted at the annual meeting of the board of supervisors in the county of Rensselaer."

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act to incorporate the Sing Sing water works company."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Newcomb	Platt	Taber
Bennett	Huntington	Otis	Rogers	Vanderbilt
Bristol	McElwain	Pierce	Smith	Williams
Clark	Morgan			

17

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bills:

"An act to authorise the founding of a garden in the city of New-York, for horticultural purposes."

"An act to amend the act to incorporate the New-York juvenile asylum, passed June 30, 1851."

"An act to extend the time for the Albany tunnel company to comply with the conditions of their charter."

"An act to incorporate the Brockport savings bank."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate then resolved itself into a committee of the whole on the following entitled bill:

"An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads."

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Van Schoonhoven, and by unanimous consent,

Resolved, That the original contract with the State, and account, the original letter from John C. Mather, Canal Commissioner, F. H. Ruggles, Auditor, and Edward Murray, to the said John C. Mather, used before the committee in the case of the said Edward Murray, be withdrawn from the files by the Clerk of the Senate, and delivered to the said Edward Murray, to be used by him before the Canal Board.

On motion of Mr. Pierce, and by unanimous consent,

The bill entitled "An act to secure a more just valuation of property for taxation," was referred to the same committee of the whole having in charge the tax and toll bill.

Mr. Van Schoonhoven moved that the Senate do insist upon its amendments to the bill entitled "An act to provide for the completion of the tax roll when it shall have been omitted at the annual meeting of the board of supervisors in the county of Rensselaer," and that a committee of conference be appointed upon the disagreement between the two Houses.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President appointed as such committee on the part of the Senate, Messrs. Morgan, Pierce and Vanderbilt.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bills:

"An act to incorporate the Seneca Indian high school on the Cattaraugus reservation."

"An act to authorise the trustees of the Milton Center society of the town of Lansing, county of Tompkins, to sell a portion of their property."

"An act to authorise the supervisors of the several counties in the eighth judicial district to send certain persons who may be confined in their several county jails, to the Erie county penitentiary."

"An act accepting the sovereignty and jurisdiction over a certain portion of territory of the commonwealth of Massachusetts, ceded to the State of New-York upon certain conditions, by said commonwealth in 1853."

"An act appropriating moneys to the Canal Fund, to be applied to the Erie canal enlargement, the Black river, the Genesee Valley, the Oswego, the Seneca and Cayuga, and Grooked Lake canals."

"An act to amend an act for the incorporation of villages, passed December 7, 1847, so far as it relates to the village of Niagara Falls, Niagara county."

"An act to incorporate the Niagara ship canal company."

Ordered, That the Clerk return said bills to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of Richard Niles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act authorising Freeman Campbell to erect a dam in the Chemung river," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee, to report complete.

The President appointed as such committee, Messrs. Cornell, Bristol and Williams.

By unanimous consent,

The bill entitled "An act to amend an act to incorporate the Auburn female seminary, passed January 29, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Morgan	Smith	VanSchoonhoven
Beach	Davenport	Newcomb	Snow	Williams
Bennett	Huntington	Otis	Vanderbilt	Wright
Bristol	McElwain	Rogers		

18

FOR THE NEGATIVE.

Conger	Cornell	Taber
--------	---------	-------

3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Taber moved a reconsideration of said vote, and that said motion do lay upon the table.

Mr. Beach called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Clark	Cornell	Platt	Vanderbilt	VanSchoonhoven
Conger	Otis	Taber		

8

FOR THE NEGATIVE.

Bartlett	Cooley	Jones	Newcomb	Snow
Beach	Huntington	McElwain	Pierce	Wright

10

The President announced the question to be on the motion to reconsider.

The President put the question whether the Senate would agree to reconsider, and it was decided in the negative.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill :

"An act to amend an act entitled 'An act to provide for a supply of water in the village of Newburgh, passed March 30, 1852, and amended February 23, 1853,' so as to authorize the trustees of said village to raise the further sum of \$25,000 by loan."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bills :

"An act to enable the supervisors of the city and county of New-York, to raise money by tax."

"An act to incorporate the Penn Yan savings bank, in the village of Penn Yan."

"An act authorising the election of a street commissioner in the village of Hornellsville, and for other purposes."

"An act to amend the act incorporating the village of Phoenix, in the county of Oswego."

Ordered, That the Clerk return said bills to the Assembly.

The Senate then resolved itself into a committee of the whole on the following entitled bills :

"An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads."

"An act prescribing regulations for disbursements upon the canals, for other purposes."

"An act for the incorporation of companies formed to navigate lakes, rivers and canals."

"An act to secure a more just valuation of property for taxation."

And after some time spent thereon, Mr. Otis, from said committee, reported progress upon said bills, and asked for and obtained leave to sit again.

Mr. Otis moved that the Senate do adjourn.

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bennett	Jones	Otis	Snow	Wright
Bristol				

FOR THE NEGATIVE.

Babcock	Conger	Morgan	Platt	Vanderbilt
Bartlett	Cornell	Pierce	Taber	Williams
Clark				

On motion of Mr. Bartlett,
The Senate took a recess until half-past seven o'clock.

HALF-PAST SEVEN O'CLOCK, P. M.

The Senate again met.

The Senate then resolved itself into a committee of the whole on the several bills under consideration previous to the recess; And after some time spent thereon, Mr. Otis, from said committee, reported progress on said several bills, and asked for and obtained leave to sit again.

On motion of Mr. Otis,
The Senate adjourned to nine o'clock, a. m., to-morrow.

TUESDAY, JULY 19, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

Mr. Pierce presented the remonstrance of citizens of Kingston, against the Kingston charter, which was laid upon the table.

Mr. Cornell, from the select committee, to which was referred the Assembly bill entitled "An act to authorise Freeman Campbell to erect a dam on the Chemung river," with power to report complete, so reported.

By unanimous consent,

Said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Clark	McElwain	Pierce	Taber
Beekman	Cornell	Munroe	Platt	Williams
Beaumont	Davenport	Newcomb	Rogers	Wright
Bristol	Huntington	Otis		

18

FOR THE NEGATIVE.

Conger

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Pierce, from the select committee, to which was referred the bill entitled "An act to repeal an act entitled 'An act to facilitate the service of process in certain cases,' passed June 30, 1853," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

By unanimous consent,

The Assembly bill entitled "An act to amend an act passed April 7, 1849, for the benefit of Lydia Harden, an Indian woman," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Munroe	Otis	Snow
Bartlett	Clark	Huntington	Platt	Taber

Beach
Beckman
Bennett

Conger
Cornell
Davenport

Jones
Newcomb

Rogers
Smith

Vanderbilt
Wright

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act to incorporate the city of Buffalo, passed April 20, 1832, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to a select committee, to report complete.

Ordered, That Messrs. Babcock, McElwain and Cornell, be such committee.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act to authorise the sale or abandonment of any plank road in the counties of Clinton and Essex."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock
Bartlett
Beach
Bennett
Clark

Conger
Cornell
Davenport
Huntington

Jones
McElwain
Munroe
Newcomb

Otis
Patt
Rogers
Smith

Snow
Taber
Vanderbilt
Wright

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the said amendments.

On motion of Mr. Bristol, and by unanimous consent,

Resolved, That Assembly bill, No. 145, relating to the New-York Central College, be taken from the committee of the whole, and ordered to a third reading.

By unanimous consent,

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the office of register of deeds, of the city and county of New-York," with power to report complete, so reported, and said bill was ordered to a third reading.

By unanimous consent,

Mr. Conger moved that one hour be devoted to the third reading of bills.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The bill entitled "An act to release the interest of the people

of this State in lands acquired by escheat on the death of James Scrymgeour, late of the city of New-York, to Elizabeth Scott and Catharine Scrymgeour," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Platt	Taber
Bartlett	Clark	Jones	Rogers	Vanderbilt
Beach	Conger	Morgan	Smith	Williams
Beekman	Cornell	Newcomb	Snow	Wright
Bennett	Davenport	Pierce		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend section 48, of article 4, title 8, chapter 20, part first of the Revised Statutes, of raffling and lotteries," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Jones	Platt	Snow
Beach	Conger	McElwain	Rogers	Vanderbilt
Beekman	Cornell	Newcomb	Smith	Wright
Bennett	Huntington	Otis		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorising any railroad company in this State, to subscribe to the capital stock of the Clyde and Sodus Bay railroad company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	McElwain	Otis	Snow
Beekman	Huntington	Morgan	Rogers	Williams
Bennett	Kirby	Newcomb	Smith	Wright
Bristol				

16

FOR THE NEGATIVE.

Conger	Jones
--------	-------

2

On motion of Mr. Beach, and by unanimous consent,

The said vote was reconsidered.

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the

affirmative, a majority of all the members elected to the Senate voting in favor thereof, as fellows:

FOR THE AFFIRMATIVE.

Beach	Clark	McElwain	Otis	Snow
Beckman	Cooley	Morgan	Rogers	Williams
Bennett	Huntington	Newcomb	Smith	Wright
Bristol	Kirby			

17

FOR THE NEGATIVE.

Babcock	Conger	Jones	
---------	--------	-------	--

3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the protection of birds in public cemeteries," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Otis	Vanderbilt
Beckman	Cooley	Kirby	Rogers	Williams
Bennett	Davenport	McElwain	Smith	Wright
Clark	Huntington	Newcomb	Taber	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to restrict and regulate the powers of municipal corporations to borrow money and loan their credit," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Otis	Smith
Beach	Cornell	McElwain	Pierce	Taber
Beckman	Davenport	Morgan	Platt	Williams
Bennett	Huntington	Newcomb	Rogers	Wright
Clark	Jones			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable Mary McAnally and Ann Thompson, to take, hold and convey real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Davenport	Munroe	Rogers
Bartlett	Clark	Huntington	Newcomb	Smith
Beach	Conger	Jones	Otis	Taber
Beekman	Cooley	Kirby	Pierce	Vanderbilt
Bennett	Cornell	McElwain	Platt	Wright

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act to provide for the incorporation of companies to construct plank roads and of companies to construct turnpike roads, passed May 7, 1847, and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Davenport	Newcomb	Upham
Bartlett	Clark	Huntington	Platt	Vanderbilt
Beekman	Conger	Kirby	Smith	Wright
Bennett	Cooley	McElwain	Taber	

19

FOR THE NEGATIVE.

Jones	Otis	Williams	
-------	------	----------	--

3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to confirm the official acts of John C. Riggs, a justice of the peace of the town of Esperance," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Davenport	Munroe	Smith
Bartlett	Clark	Jones	Newcomb	Upham
Beach	Conger	Kirby	Otis	Williams
Beekman	Cooley	McElwain	Platt	Wright
Bennett	Cornell			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act amending chapter 11, of the Laws of 1849, entitled 'An act relating to highways in the town of Eastchester, and White Plains,' passed January 24, 1849," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirma-

tive, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Kirby	Otis	Upham
Beekman	Cornell	McElwain	Pierce	Vanderbilt
Bristol	Davenport	Munroe	Platt	Williams
Conger	Jones	Newcomb	Smith	Wright

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise any town in the counties of Wyoming and Cattaraugus, to subscribe to the stock of the Attica and Allegany Valley railroad company, and to issue bonds of said towns to said company in payment for the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Bristol	Kirby	Otis	Snow
Beekman	Cooley	McElwain	Rogers	VanSchoonhoven
Bennett	Davenport	Newcomb	Smith	Wright

15

FOR THE NEGATIVE.

Cornell	Munroe	Williams
---------	--------	----------

3

Mr. Rogers moved a reconsideration of said vote, and that said motion lie upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act making it a penalty to avoid gate number two, on the Medina and Alabama plank road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Davenport	Platt	Upham
Beach	Conger	Kirby	Rogers	Vanderbilt
Bennett	Cooley	McElwain	Smith	Williams
Bristol	Cornell			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the supervisor of the town of Plattsburgh, to sell and convey the lot and buildings thereon known as the poor house lot," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cornell	McElwain	Otis	Snow
Beckman	Davenport	Morgan	Platt	Upham
Bristol	Jones	Munroe	Rogers	Williams
Clark	Kirby	Newcomb	Smith	Wright
Conger				

21

Ordered. That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act in relation to the Palmyra and Pultneyville plank road company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Newcomb	Smith
Beach	Cooley	Morgan	Otis	Snow
Beckman	Davenport	Munroe	Platt	Upham
Bristol	Jones			

17

Ordered. That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act authorising the Comptroller to loan money to the towns of Watertown and Pamela, in the county of Jefferson," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Beach	Cooley	McElwain	Smith	Upham
Beckman	Cornell	Munroe	Snow	Williams
Bristol	Davenport	Newcomb	Taber	Wright
Clark	Kirby	Platt		

18

FOR THE NEGATIVE.

Conger	Jones	Otis
--------	-------	------

3

Ordered. That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Senate then resolved itself into a committee of the whole, on the following entitled bills :

"An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads."

"An act for the incorporation of companies formed to navigate lakes, rivers and canals."

"An act to secure a more just valuation of property for taxation."

"An act prescribing regulations for disbursements upon the canals and for other purposes."

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Babcock, from the select committee, to which was referred the Assembly bill entitled "An act to amend the act to incorporate the city of Buffalo, passed April 20, 1832, and the acts amendatory thereof," with power to report complete, so reported, and said bill was ordered to a third reading.

The hour of 12 m., having arrived, the Senate went into executive session;

And after some time spent therein, the Senate resumed legislative business.

The Senate then resolved itself into a committee of the whole, on the several bills under consideration previous to going into executive session;

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said bills, and asked for and obtained leave to sit again.

The hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Bennett asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Mexican ocean mail and inland company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation, to report complete.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, with further amendments, to the following entitled bill:

"An act to provide for certain expenses of government."

Mr. Vanderbilt moved to lay the bill upon the table.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree

to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Morgan	Platt	Vanderbilt	
Beekman	Clark	Newcomb			8

FOR THE NEGATIVE.

Bartlett	Conger	Huntington	McElwain	Pierce	
Beach	Cornell	Jones	Munroe	Smith	
Bristol	Davenport	Kirby	Otis	Snow	15

The said amendments having been read, a division of the question was called for.

The President put the question on concurring in the appropriation to Nathaniel Goodwin, of \$50.50, for cleaning, collecting, and putting up books in the Assembly library, at the close of the session of 1852, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Huntington	Morgan	Rogers	
Beach	Conger	Jones	Newcomb	Smith	
Beekman	Cornell	Kirby	Otis	Snow	
Bennett	Davenport				17

FOR THE NEGATIVE.

Clark	Munroe	Vanderbilt	Wright	4
-------	--------	------------	--------	---

The President then put the question on concurring in the appropriation to William P. Pepper, for cleaning and arranging books in the Senate library, after the close of the session in 1852, of \$42, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bennett	Davenport	Morgan	Smith	
Beach	Bristol	Huntington	Newcomb	Snow	
Beekman	Cornell	Kirby	Rogers		14

FOR THE NEGATIVE.

Babcock	Jones	Munroe	Pierce	Vanderbilt	
Clark	McElwain	Otis	Platt	Wright	
Cooley					11

The President then put the question on concurring in the appropriation to J. B. Lawyer, for cleaning and arranging the Assembly library, in the year 1852, of \$30, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bennett	Davenport	Morgan	Taber	
Beach	Bristol	Huntington	Newcomb	Vanderbilt	
Beekman	Cornell	Kirby			13

FOR THE NEGATIVE.

Babcock	Cooley	Munroe	Rogers	VanSchoonhoven	
Clark	Jones	Otis	Smith	Wright	
Conger	McElwain	Platt	Snow		14

The President then put the question on concurring in the appropriation to the Sergeant-at-arms, for serving subpoenas before a select committee, for \$50, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Davenport	McElwain	Rogers
Beach	Clark	Huntington	Morgan	Smith
Beekman	Conger	Kirby	Newcomb	Snow
Bennett	Cornell			

17

FOR THE NEGATIVE.

Babcock	Jones	Otis	Platt	Wright
Cooley	Munroe	Pierce	Vanderbilt	

9

The President then put the question on concurring in the appropriation for putting up the copper conductors to the State Hall, for \$1,200, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Davenport	Kirby	Snow
Bartlett	Bristol	Huntington	Morgan	Taber
Beach	Conger	Jones	Newcomb	Vanderbilt
Beekman	Cornell			

17

FOR THE NEGATIVE.

Clark	McElwain	Munroe	Otis	Wright
Cooley				

6

The President announced the question to be on concurring in the appropriation to the first regiment of New-York volunteers who served in the war with Mexico, ten thousand dollars.

Mr. Munroe called for the ayes and noes.

The President put the question whether the Senate would agree to concur, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Cooley	Morgan	Smith	Vanderbilt
Bristol	Davenport	Newcomb	Snow	VanSchoonhoven
Conger	Kirby	Otis	Taber	

14

FOR THE NEGATIVE.

Babcock	Clark	Jones	Pierce	Rogers
Bartlett	Cornell	McElwain	Platt	Wright
Beach	Huntington	Munroe		

13

Mr. Bennett moved to reconsider the appropriation to J. B. Lawyer.

The ayes and noes being called,

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Huntington	Morgan	Snow
Beach	Conger	Jones	Newcomb	Taber
Beekman	Cornell	Kirby	Smith	Williams
Bennett	Davenport			

17

FOR THE NEGATIVE.

Babcock	Otis	Platt	Rogers	Wright	5
---------	------	-------	--------	--------	---

The President put the question whether the Senate would concur in the amendment appropriating to J. B. Lawyer, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Davenport	Newcomb	Snow	
Beach	Clark	Huntington	Rogers	Taber	
Beekman	Conger	Kirby	Smith	Williams	
Bennett	Cornell	Morgan			18

FOR THE NEGATIVE.

Babcock	Jones	Otis	Platt	Wright	6
Cooley					

Mr. Bennett moved to reconsider the vote on the appropriation to William P. Pepper.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then announced the question to be on concurring in the appropriation to William P. Pepper.

Mr. Otis called for the ayes and noes.

The President put the question whether the Senate would agree to the said appropriation, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Huntington	Newcomb	Snow	
Beach	Conger	Kirby	Rogers	Taber	
Beekman	Cornell	Morgan	Smith	Williams	
Bennett	Davenport				17

FOR THE NEGATIVE.

Babcock	Clark	Cooley	Otis	Platt	5
---------	-------	--------	------	-------	---

The President then announced the question to be on concurring in the appropriation to the Governor's private secretary, of four hundred dollars extra.

The ayes and noes being called,

The President put the question whether the Senate would agree to concur, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Rogers	Taber	
Beach	Cornell	Kirby	Smith	Vanderbilt	
Bennett	Davenport	Morgan	Snow	Williams	
Bristol	Huntington				17

FOR THE NEGATIVE.

Beekman	Cooley	Newcomb	Otis	Wright	7
Clark	McElwain				

The President then put the question whether the Senate would

concur in the appropriation to L. Vanderheyden, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bennett	Clark	McElwain	Smith	Snow
Bristol	Davenport			

7

FOR THE NEGATIVE.

Bartlett	Cooley	Jones	Otis	Vanderbilt
Beach	Cornell	Morgan	Platt	VanSchoonhoven
Beckman	Huntington	Newcomb	Rogers	

14

The President then put the question whether the Senate would concur in the appropriation to Philip Ford, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bennett	Davenport	McElwain	Smith	Snow
Clark				

6

FOR THE NEGATIVE.

Beach	Huntington	Munroe	Platt	VanSchoonhoven
Beckman	Jones	Newcomb	Rogers	Wright
Cooley	Morgan	Otis	Vanderbilt	

14

The President then announced the question to be on concurring in the amendment to the appropriation for the pay of members of the Legislature, for the extra session of 1853, of the sum of fifty thousand dollars.

Mr. Pierce moved to amend, by inserting "thirty" instead of "fifty."

On motion of Mr. Muhroe,

The Senate took a recess to eight o'clock, p. m.

EIGHT O'CLOCK, P. M.

The Senate again met.

By unanimous consent,

Mr. Platt, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend the charter of the Mexican ocean mail and inland company," with power to report complete, so reported, and said bill was ordered engrossed for a third reading.

On motion of Mr. Babcock, and by unanimous consent,

The committee of the whole were discharged from the further consideration of the bill entitled "An act for the incorporation of companies formed to navigate lakes, rivers and canals," and said bill was referred to a select committee, with power to report complete.

Ordered, That Messrs. Babcock, Platt and Cornell, be such committee.

The President announced the question to be on the motion pending at the time of taking the recess, viz, to reduce the appropriation for pay of members of the Legislature, from "fifty thousand dollars" to "thirty thousand dollars."

Mr. Van Schoonhoven moved further to amend, by inserting "thirty-six" instead of "thirty."

Mr. Pierce accepted said amendment.

The President announced the question to be on the motion of Mr. Pierce, as amended.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion as amended, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Huntington	Pierce	Upham	VanSchoonhoven
Bartlett	Jones	Platt	Vanderbilt	Williams
Conger	Munroe	Snow		13

FOR THE NEGATIVE.

Beach	Clark	Kirby	Morgan	Rogers
Beekman	Cooley	McElwain	Otis	Wright
Bristol	Davenport			12

The President then put the question on concurring in the appropriation for the pay of the members of the Legislature, as amended, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Huntington	McElwain	Pierce	Upham
Bristol	Jones	Morgan	Platt	VanSchoonhoven
Conger	Kirby	Munroe	Taber	Williams
Davenport				16

FOR THE NEGATIVE.

Babcock	Beekman	Cooley	Rogers	Wright
Beach	Clark	Otis	Vanderbilt	9

The President then announced the question to be on concurring in the original amendment of the Assembly, to the said appropriation for \$50,000.

Mr. Otis moved to amend, by inserting "\$30,000" instead of "\$50,000."

Debate was had thereon, when

Mr. Otis withdrew his said motion.

Mr. Otis moved that the Senate do non-concur in said amendment.

The President decided the motion of Mr. Otis to be equivalent to the one pending.

The President then put the question on concurring in the original amendment of the Assembly, to the said appropriation for \$50,000, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Beach	Bristol	McElwain	Rogers	Wright	7
Beckman	Clark				

FOR THE NEGATIVE.

Babcock	Cooley	Jones	Munroe	Upham	
Bartlett	Davenport	Kirby	Pierce	Vanderbilt	
Conger	Huntington	Morgan	Platt	Williams	15

The President then put the question on the amendment of the Assembly, inserting the word "additional" after the word "for," in the appropriation to the Western house of refuge, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Otis	Upham	
Bartlett	Conger	Kirby	Platt	Vanderbilt	
Beach	Davenport	McElwain	Rogers	Williams	
Beckman	Huntington	Morgan	Snow	Wright	21
Bristol					

The President then put the question on concurring in the amendment to the appropriation to James R. Smith, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Davenport	Morgan	Snow	
Beckman	Conger	Huntington	Rogers	Williams	
Bristol	Cornell	Jones			13

FOR THE NEGATIVE.

Babcock	McElwain	Pierce	Upham	VanSchoonhoven	
Cooley	Munroe	Platt	Vanderbilt	Wright	
Kirby	Otis				12

Mr. Babcock, from the select committee, to which was referred the bill entitled "An act for the incorporation of companies formed to navigate lakes, rivers and canals," with power to report complete, so reported, and said bill was ordered to a third reading.

Mr. Williams, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Richard Niles," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

By unanimous consent,

Mr. Beach asked for and obtained leave to introduce a bill entitled "An act relative to the New-York Central railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads, to report complete.

On motion of Mr. Beach,

The Senate adjourned to nine o'clock, a. m., to-morrow.

WEDNESDAY, JULY 20, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jeffrey.

The journal of yesterday was read and approved.

Mr. Bennett moved to take from the table the concurrent resolution from the Assembly, in relation to the claim of David Jones, and called for the yeas and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative; as follows:

FOR THE AFFIRMATIVE.

Babcock	Beekman	Cooley	Jones	Vanderbilt	
Bartlett	Bennett	Davenport	Snow	Williams	10

FOR THE NEGATIVE.

Bristol	Huntington	Newcomb	Platt	Van Schoonhoven	
Clark	McElwain	Otis	Rogers	Wright	
Conger	Manroe	Pierce			13

By unanimous consent,

The Assembly bill entitled "An act for the relief of Harry Hall," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Platt	Upham	
Beekman	Cornell	McElwain	Rogers	Vanderbilt	
Bennett	Davenport	Newcomb	Snow	Williams	
Bristol	Huntington	Otis	Tabor	Wright	
Clark	Jones				22

FOR THE NEGATIVE.

Babcock	Cooley				2
---------	--------	--	--	--	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message from the Assembly was received and read, in the words following, to wit:

The Assembly have receded from their amendments to the bill entitled "An act to provide for certain expenses of government," reducing the appropriation to L. Vanderheyden and Philip Ford, and insist upon the appropriation of \$10,000 for the N. Y. volunteers, the appropriation of \$50,000 for the pay of members, and \$3 per day, for the pay of James R. Smith, and request a committee of conference on the same; and that Messrs. D. B. Taylor, Marsh, C. Smith, Ellsworth and Jackson, be a committee on the part of the Assembly.

On motion of Mr. Conger,
The Senate accepted of the request for a committee of conference.

The President appointed Messrs. Conger, Bristol and Beach, on the part of the Senate.

Mr. Cornell called for the special order.

The Senate then resolved itself into a committee of the whole, on the following entitled bills:

Assembly bill, "An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads."

Assembly bill, "An act to secure a more just valuation of property for taxation."

Assembly bill, "An act prescribing regulations for disbursements upon the canals, and for other purposes."

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said bills, and asked leave to sit again.

The President announced the question to be on granting leave to sit again on said first mentioned bill.

Mr. Conger moved that the committee of the whole be discharged from the further consideration thereof, and that the same be referred to a select committee to be appointed, with instructions to make the following amendments:

Amend the first section of printed bill, by striking out of the first and second lines, the word "dollar," and insert, "In addition to the annual State tax now by law imposed, a State tax of one mill on each dollar," and leave the rest of the section as printed; also, strike out the remainder of the bill, and insert the following:

§ 2. The Comptroller is hereby authorised to invest from time to time, any of the moneys of the Sinking funds, not exceeding in all the sum of eight hundred thousand dollars, in the tax mentioned in the first section of this act; and the proceeds of the said tax when received into the treasury, are hereby made applicable in the first instance, to reimburse the said Sinking Funds for the amount advanced as above, and interest on the same at six per cent to the day of re-payment.

§ 3. Of the money to be raised by the tax provided for in the last section, the sum of six hundred and twenty-five thousand dollars; or so much thereof as may be necessary, shall be paid over to the Canal Fund, to be applied solely to the purposes specified in the fourth section of the act entitled "An act appropriating moneys to the payment of canal debts and for other purposes;" and the balance of the said tax shall be kept and retained for the use of the General Fund, and for the payment of the demands which are or may become chargeable thereon.

§ 4. The appropriation of money heretofore made for the draining of the Cayuga marshes, is hereby repealed; and in lieu

thereof, the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated to the blasting (by the aid of the sub-marine battery, or other efficient means), of the reef on the Seneca river, known as "Jack's reef;" said work to be done under the direction of the Canal Commissioners.

Debate was had thereon, when

Mr. Conger called for a division of the question.

The President put the question on discharging the committee of the whole, and referring said bill to a select committee, and it was decided in the affirmative.

The President announced the question to be on the instructions to amend the first section of said bill, as proposed by Mr. Conger.

The hour of a quarter to two o'clock, p. m., having arrived, the Senate took a recess until four o'clock, p. m.

FOUR O'CLOCK, P. M.

The Senate again met.

Mr. Conger withdrew his instructions to the select committee, on the bill under consideration at the time of recess.

The President appointed as such committee, Messrs. Conger, Vanderbilt and Babcock.

By unanimous consent,

Mr. Bartlett, from the committee on railroads, to which was referred the bill entitled "An act relative to the New-York Central railroad company," with power to report complete, so reported.

Mr. Platt moved to amend said report, by adding the following additional section to said bill:

§ 2. This act shall take effect upon the payment by the New-York Central railroad company, to the treasurer, for the use of the Canal Fund of this State, of the sum of three hundred thousand dollars, as a commutation for the loss of canal revenues, by reason of the transportation of freight and property upon portions of the roads belonging to said company, since the first day of December, 1851.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on agreeing to the report of the committee as amended.

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the report of said committee as amended, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Jones	Otis	Snow	
Bartlett	Davenport	McElwain	Platt	Vanderbilt	10

FOR THE NEGATIVE.

Beekman	Cornell	Munroe	Taber	Williams	
Bennett	Huntington	Newcomb	Upham	Wright	
Clark	Kirby	Rogers			13

Mr. Upham moved that the vote just taken be reconsidered.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Upham moved that the vote on the adoption of the amendment offered by Mr. Platt, be reconsidered, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Huntington	Morgan	Rogers	Upham	
Bennett	Kirby	Munroe	Snow	Vanderbilt	
Clark	McElwain	Newcomb	Taber	Wright	
Cornell					16

FOR THE NEGATIVE.

Bartlett	Cooley	Jones	Pierce	Williams	
Conger	Davenport	Otis	Platt		9

The President then announced the question to be on the amendment offered by Mr. Platt.

Mr. Upham called for the ayes and noes.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Jones	Platt	Wright	
Bartlett	Davenport	Otis			8

FOR THE NEGATIVE.

Beekman	Cooley	Kirby	Rogers	Upham	
Bennett	Cornell	McElwain	Snow	Vanderbilt	
Clark	Huntington	Munroe	Taber		14

The President then announced the question to be on agreeing to the report of the committee on said bill.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. McElwain, and by unanimous consent,

The Assembly bill entitled "An act to authorize any town in the counties of Wyoming and Cattaraugus, to subscribe for the stock of the Attica and Allegany Valley railroad company, and

to issue bonds of said town to said company in payment for the same," was taken from the table.

The President then put the question on reconsidering the vote on the final passage of said bill, and it was decided in the affirmative.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beckman	Davenport	Newcomb	Rogers	VanSchoonhoven
Bennett	Huntington	Otis	Snow	Williams
Clark	Kirby	Platt	Upham	Wright
Cooley	McElwain			

17

FOR THE NEGATIVE.

Babcock	Cornell	Jones	Munroe	Taber
---------	---------	-------	--------	-------

5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

The bill entitled "An act to amend the charter of the Mexican ocean mail and inland navigation company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cooley	Kirby	Newcomb	Rogers
Beckman	Davenport	McElwain	Otis	Snow
Bennett	Huntington	Munroe	Platt	Upham
Clark	Jones			

17

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Babcock, and by unanimous consent,

One hour was set apart for the third reading of bills.

The Assembly bill entitled "An act making appropriations for the several State prisons," was read a third time, when

Mr. Conger moved to recommit to the committee on State prisons, with instructions to restore the part of said bill which had been stricken out by said committee, with a modification, by inserting the word "taxable" before the word "costs," in the part thus stricken out.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Davenport	McElwain	Taber
Beach	Conger	Huntington	Newcomb	Upham
Beekman	Cooley	Jones	Rogers	Wright
Bristol	Cornell	Kirby	Snow	
				19

FOR THE NEGATIVE.

Babcock	Otis			
				2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act authorising the commissioner of highways of the town of Warsaw, in the county of Wyoming, to construct a drain from the Buffalo road to Allen's creek," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Huntington	Munroe	Snow
Bartlett	Cooley	Jones	Otis	Taber
Beach	Cornell	Kirby	Platt	Williams
Bristol	Davenport	McElwain	Rogers	Wright
				20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the incorporation of companies to navigate lakes, rivers and canals," was read a third time, when

Mr. Williams moved to recommit to the committee which reported it, with instructions to strike out the enacting clause.

Debate was had thereon, when

Mr. Williams withdrew said motion.

Resolutions from the Assembly were received and read, in the words following, to wit:

Resolved, That the Assembly do concur with the resolution of the Senate, in regard to the appointment of a joint committee to examine the treasurer's accounts and the bank department.

Resolved, (If the Senate concur,) That this Legislature will adjourn sine die on Thursday, the 21st day of July, at 6 o'clock, p. m.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the board of supervisors of the county of

Ontario, to sell the court house of said county, and to erect a new court house; also, to compromise and settle claims against certain railroad corporations," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to alter the map of the city of New-York, by laying out thereon a public place, and to authorise the taking of the same," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill be referred to the committee on the incorporation of cities and villages, to report complete.

The President announced the question to be on the final passage of the bill entitled "An act for the incorporation of companies formed to navigate lakes, rivers and canals," when

On motion of Mr. Vanderbilt, and by unanimous consent,

The same was amended, as follows: "insert after the word navigate, "bays," in the title; first section, insert in the fifth line, the word "bays" before rivers; erase 50,000 and insert 10,000 in the first section.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Munroe	Rogers	Vanderbilt
Bartlett	Davenport	Newcomb	Snow	VanSchoonhoven
Beach	Kirby	Pierce	Upham	Wright
Bennett	McElwain			

17

FOR THE NEGATIVE.

Beekman	Cornell	Jones	Otis	Taber
Bristol	Huntington	Morgan	Platt	Williams
Cooley				

11

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Conger, from the committee of conference on the part of the Senate, to which was referred matters of disagreement between the Senate and Assembly, in relation to the supply bill, so called, reported, that the committees after conference, have concluded to recommend the following as an adjustment of the matters in difference between the two Houses:

The first item adhered to by the House of Assembly, to be adopted with the following additional clause "and that the same shall be divided among the legal surviving holders of the outstanding certificates already issued in proportion to the amount

due on each certificate, and to be paid to each holder only on the surrender of his certificate to the Comptroller, his further certificates to be issued by the commissioners named in the act-aforesaid of 1851."

The second and third items adhered to by the House, to be adopted without amendments.

The President announced the question to be on agreeing to the report of the conference committee.

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Davenport	McElwain	Rogers
Beach	Clark	Huntington	Morgan	Snow
Beckman	Conger	Jones	Nowcomb	Van Schoonhoven
Bennett	Cornell	Kirby		
				18

FOR THE NEGATIVE.

Babcock	Munroe	Pierce	Taber	Vanderbilt
Cooley	Otis	Platt	Upham	Wright
				10

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the amendments proposed by the committee of conference.

Mr. Cornell moved that the Senate take a recess until eight o'clock, p. m.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate took a recess to eight o'clock, p. m.

EIGHT O'CLOCK, P. M.

The Senate again met.

A message was received from the Assembly, with notice that they had concurred in the report of the committee of conference in relation to the supply bill so called, and duly passed the same.

Mr. Babcock declined serving on the select committee, to which he had been appointed by the President on the tax and toll bill so called.

Whereupon, the President appointed Mr. Platt, instead of Mr. Babcock.

By unanimous consent,

Mr. Vanderbilt, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to alter the commissioner's map of the city of Brook-

lyn," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

Mr. Pierce called for the special order.

The Senate then resolved itself into a committee of the whole, on the following entitled bills:

Assembly bill, "An act to secure a more just valuation of property for taxation."

Assembly bill, "An act prescribing regulations for disbursements upon the canals and for other purposes."

And after some time spent thereon, Mr. Otis, from said committee, reported progress on said bills, and asked leave to sit again.

The President announced the question to be on granting leave to sit again on said first mentioned bill, when.

Mr. Cornell moved to discharge the committee of the whole from the further consideration thereof, and that the same be referred to a select committee, with power to report complete.

Debate was had thereon, when by unanimous consent.

Mr. Conger, from the select committee, to which was referred the tax and toll bill, so called, made the following report:

The select committee, to which was referred the bill entitled "An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads," ask the instruction of the Senate on the following propositions:

Resolved, That it is expedient and right to raise the sum of \$400,000, part of the present deficiency by special tax, on tolls on railroads for one year.

The President announced the question to be on the adoption of the resolution reported by said committee.

Debate was had thereon, when

Mr. Wright offered the following amendment as a substitute for the resolution offered by said committee:

Resolved, That the committee having charge of the tax and toll bill, be instructed to bring in a bill imposing a tax of one half mill in addition to the present tax, for the current and the ensuing year, for the purpose of replenishing the General Fund.

Mr. Van Schoonhoven offered the following further amendment:

Resolved, That the enquiries submitted to the Senate, be returned to the committee with instructions to deliberate farther upon the subject matter referred to them, and thereupon to report to this body, the views and judgment of said committee, as to the propriety, expediency and equity of any imposition of tolls upon railroads, or other private associations incorporated by the laws of this State, for the purpose of paying any portion of the public debt of this State.

Debate was had thereon, when

Mr. Van Schoonhoven withdrew the said, resolution offered by him, and offered the following, instead:

Resolved, That in the judgment of the Senate, neither do the public necessities require, nor will a due regard to the rights and equities of the case, warrant an imposition of tolls or tax at this time upon our railroads, for the purpose of discharging the public debt of this State, or any portion thereof.

Debate was had thereon, when

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Clark	Rogers	Upham	VanSchoonhoven
Bristol	Cornell			7

FOR THE NEGATIVE.

Cooley	McElwain	Munroe	Pierce	Taber
Davenport	Morgan	Otis	Snow	Vanderbilt
Jones				11

Mr. Cooley offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the committee be hereby instructed to bring in a bill imposing equitable tolls on all through freight on the Erie, Central and Northern railroads.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution.

On calling the roll, Mr. Huntington asked to be excused from voting.

The President put the question whether the Senate would agree to excuse Mr. Huntington, and it was decided in the affirmative.

Mr. Platt also asked to be excused.

The President put the question whether the Senate would agree to excuse Mr. Platt, and it was decided in the affirmative.

The President announced the result on the resolution of Mr. Cooley, to be as follows:

FOR THE AFFIRMATIVE.

Bartlett	Davenport	Otis	Pierce	Snow
Cooley				6

FOR THE NEGATIVE.

Beekman	Clark	McElwain	Rogers	Vanderbilt
Bennett	Cornell	Morgan	Taber	VanSchoonhoven
Bristol	Jones	Munroe	Upham	Williams 15

Mr. Jones offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the committee be instructed to bring in a bill imposing a sufficient tax to supply the deficiency in the treasury.

Mr. Pierce moved that the Senate do now adjourn.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol	McElwain	Morgan	Munroe	Pierce	6
Cooley					

FOR THE NEGATIVE.

Clark	Davenport	Otis	Snow	VanSchoonhoven	
Conger	Huntington	Rogers	Upham	Williams	12
Cornell	Jones				

The President announced the question to be on the resolution of Mr. Jones.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Beekman	Conger	Davenport	Morgan	Snow	9
Bristol	Cornell	Jones	Rogers		

FOR THE NEGATIVE.

Bartlett	Huntington	Otis	Taber	VanSchoonhoven	
Clark	McElwain	Pierce	Upham	Williams	14
Cooley	Munroe	Platt	Vanderbilt		

The President announced the question to be on the resolution offered by Mr. Wright.

Mr. Cornell moved to amend the same, by striking out "half mill," and inserting "a mill and a quarter."

Debate was had thereon, when

Mr. Cornell withdrew his said motion.

The President again announced the question to be on the said resolution offered by Mr. Wright.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Morgan	Rogers	Wright	9
Beach	Huntington	Pierce	Snow		

FOR THE NEGATIVE.

Beekman	Cooley	McElwain	Platt	Vanderbilt	
Clark	Davenport	Munroe	Taber	VanSchoonhoven	
Conger	Jones	Otis	Upham	Williams	15

At a quarter to 12 o'clock, at night, on motion of Mr. Cooley, the Senate adjourned to 9 o'clock, a. m., to-morrow.

THURSDAY, JULY 21, 1853.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Pierce, from the committee of conference on the part of the Senate, to which was referred the Assembly bill entitled "An act to provide for the completion of the tax roll when it shall have been omitted at the annual meeting of the board of supervisors in the county of Rensselaer," reported that the committee of conference had disagreed to the amendments made thereto by the Senate, and in favor of the passage of the bill as it passed the Assembly.

Debate was had thereon, when

Mr. Van Schoonhoven called for the ayes and noes.

The President put the question whether the Senate would agree to the report of said committee, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Jones	Otis	Pierce	Vanderbilt	5
----------	-------	------	--------	------------	---

FOR THE NEGATIVE.

Bennett	Davenport	McElwain	Snow	VanSchoonhoven	
Clark	Huntington	Munroe	Upham	Wright	
Cornell	Kirby	Rogers			13

Mr. Jones, from the committee on claims, to which was referred the Assembly bill entitled "An act to require the Canal Appraisers to examine and report upon the claims of Jacob Graves, Charles J. Hill, and others claiming damages from the State, for the diversion of the waters of the Genesee river," reported in favor of the passage of the same with amendments.

By unanimous consent,

Ordered, That said bill do have its third reading.

On motion of Mr. Munroe, and by unanimous consent,

The concurrent resolution from the Assembly, fixing the adjournment of the Legislature at six o'clock, p. m., to-day, was adopted.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have passed the same without amendment.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act passed April 4, 1853, entitled 'An act to amend an act entitled 'the payment of money by the county of Columbia, to the Hudson orphan relief asylum,' passed April 10, 1851,'" which was read the first time, and by unanimous consent was also read the second time,

By unanimous consent,

Ordered, That said bill do have its third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Newcomb	Snow
Bartlett	Clark	Kirby	Otis	Upham
Beach	Cooley	McElwain	Pierce	Williams
Beekman	Davenport	Morgan	Platt	Wright
Bennett	Huntington	Munroe	Rogers	

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

The Assembly bill entitled "An act to require the Canal Appraisers to examine and report upon the claims of Jacob Graves, Charles J. Hills, and others claiming damages from the State, for the diversion of the waters of the Genesee river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof; as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	Jones	Morgan	Rogers
Beekman	Cooley	Kirby	Newcomb	Upham
Bennett	Davenport	McElwain	Otis	Williams
Bristol	Huntington			

17

FOR THE NEGATIVE.

Bartlett	Conger	Platt
----------	--------	-------

3

Mr. Cornell moved that the vote on the final passage of the bill entitled "An act to amend an act passed April 4, 1853, entitled 'An act to amend an act entitled 'the payment of money by the bounty of Columbia, to the Hudson orphan relief asylum,' passed April 10, 1851,'" be reconsidered, and that said motion be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Vanderbilt, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section seven, title second, of chapter five, of part third of the Revised Statutes, relative to proceedings to compel the determination of claims to real property in certain cases," reported in favor of the passage of the same without amendment, which was committed to the committee of the whole.

Mr. Conger, from the select committee, to which was referred the Assembly bill entitled "An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads," with power to report complete, so reported.

Mr. Williams moved to amend said report, by striking out the sixth section of said bill, as reported by said committee, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Beach	Clark	Kirby	Snow	Williams	
Beckman	Cornell	Newcomb	Upham	Wright	
Bristol	Huntington	Rogers			13

FOR THE NEGATIVE.

Babcock	Conger	Davenport	McElwain	Otis	
Bartlett	Cooley	Jones	Morgan		9

Mr. Conger moved to reconsider the vote just taken.

Debate was had thereon, when

Mr. Williams called for the ayes and noes.

The President put the question whether the Senate would agree to reconsider the vote.

On calling the roll, Mr. Van Schoonhoven asked to be excused from voting thereon.

The President put the question whether the Senate would agree to excuse Mr. Van Schoonhoven, and it was decided in the affirmative.

The roll being completed,

The President announced the motion of Mr. Conger to reconsider, to be carried, as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Davenport	Morgan	Platt	
Bartlett	Cooley	Jones	Otis	Wright	
Bennett	Cornell	McElwain	Pierce		14

FOR THE NEGATIVE.

Beach	Bristol	Huntington	Rogers	Upham	
Beckman	Clark	Munroe	Snow	Williams	10

The President announced the question to be on striking out the 6th section of said bill, as reported by Mr. Conger.

Debate was had thereon, when

Mr. Conger moved to amend the motion of Mr. Williams, to strike out the 6th section, by striking out all after the word "postponed" in said section.

Debate was had thereon, when

Mr. Conger withdrew his said amendment.

The President again announced the question to be on the motion of Mr. Williams, to strike out the 6th section of said bill.

Debate was had thereon, when
Mr. Williams called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Beach	Clark	Huntington	Rogers	Upham
Beekman	Cornell	Kirby	Snow	Williams
Bristol	Davenport	Macroe	Taber	

14

FOR THE NEGATIVE.

Babcock	Conger	Jones	Pierce	Vanderbilt
Bartlett	Cooley	Otis	Platt	Wright

10

The President announced the question to be on agreeing to the report of the committee, as amended.

The President put the question whether the Senate would agree to the report of said committee, as amended, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Jones	Munroe	Snow
Beach	Conger	Kirby	Platt	Taber
Beekman	Cornell	McElwain	Rogers	Upham
Bennett	Davenport	Morgan		

18

FOR THE NEGATIVE.

Babcock	Cooley	Newcomb	Pierce	Williams
Bristol	Huntington	Otis	Vanderbilt	Wright

10

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

On motion of Mr. Cornell, and by unanimous consent,

The Assembly bill entitled "An act to amend an act passed April 1, 1853, entitled 'An act to amend the act entitled 'the payment of money by the county of Columbia, to the Hudson orphan relief asylum,' passed April 10, 1851,'" was taken from the table.

The President then announced the question to be on reconsidering the vote on the final passage of said bill.

The President put the question whether the Senate would agree to reconsider said vote, and it was decided in the affirmative.

By unanimous consent,

Said bill was then amended, as follows : by inserting the words "an act to authorize" after the word "entitled," in the third

line of the title of said bill, or after said word in the second place where it occurs in said title.

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Newcomb	Snow
Bartlett	Conger	Kirby	Otis	Upham
Beach	Cornell	McElwain	Pierce	Vanderbilt
Beekman	Davenport	Morgan	Platt	Wright
Bennett	Huntington	Munroe	Rogers	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same with amendments.

A message from the Assembly was received and read, informing that they had passed, with amendments, the following entitled bill:

"An act appropriating moneys to the payment of canal debts and for other purposes."

Mr. Pierce moved that the Senate concur in the amendments of the Assembly.

Mr. Upham called for a division of the question.

The President announced the question to be on the first amendment made by the Assembly to said bill.

The President put the question whether the Senate would agree to the said first amendment, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Huntington	Morgan	Pierce
Bartlett	Clark	Jones	Munroe	Snow
Beekman	Conger	Kirby	Newcomb	Tahter
Bennett	Cornell	McElwain	Otis	Upham

30

The President announced the question to be on the second amendment made by the Assembly to said bill.

Mr. Pierce moved to amend the same, by adding thereto the following words: "other than the revenues of the canals."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the second amendment of the Assembly as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Newcomb	Snow
Bartlett	Conger	Morgan	Pierce	Upham

Reckman	Cornell	Munroe	Platt	Wright	17
Bristol	Jones				

FOR THE NEGATIVE.

Cooley	Davenport	Huntington	Otis	Vanderbilt	5
--------	-----------	------------	------	------------	---

The President then announced the question to be on agreeing to the third amendment made by the Assembly to said bill.

The President put the question whether the Senate would agree to the said third amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Munroe	2
----------	---------	--------	---

FOR THE NEGATIVE.

Babcock	Cornell	Kirby	Otis	Taber	
Beckman	Davenport	McElwain	Pierce	Upham	
Clark	Huntington	Morgan	Platt	Vanderbilt	
Conger	Jones	Newcomb	Snow	Wright	
Cooley					21

Ordered, That said bill be returned to the Assembly, with notice of the action of the Senate thereon.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bills :

"An act to amend the act for the protection of emigrant passengers arriving at the city of New-York, passed April 13, 1853."

"An act to extend the boundaries and change the name of the village of Arcadia, to that of Newark."

"An act to amend the charter of the Mexican ocean mail and inland navigation company."

"An act in relation to highways and bridges in the county of Montgomery."

"An act to authorise the trustees of the village of Canandaigua, to borrow the amount of money directed to be raised by taxation, and to provide for a contingent fund."

"An act to amend an act entitled 'An act to authorise the town of Sterling, in the county of Cayuga, to borrow money and to tax the town for the payment of the same,' passed June 23, 1853."

"An act to restrict and regulate the power of municipal corporations, to borrow money, contract debts, and loan their credit."

"An act to confirm the title of Cornelius Vanderbilt to certain land under water in the county of Richmond, and to make certain letters patent valid."

"An act to incorporate the Atlantic and Pacific railroad company."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bills :

"An act authorizing the Comptroller to loan money to the towns of Watertown, Pamela and Wilma, in the county of Jefferson."

"An act to authorize a loan to the county of Orleans, for the purpose of building a bridge across Oak Orchard creek, in the town of Carlton, in the county of Orleans."

"An act making appropriations for the several State prisons."

"An act to require the Canal Appraisers to examine and report upon the claims of Jacob Graves, Charles J. Hill, and others claiming damages from the State, for the diversion of the waters of the Genesee river."

Ordered, That the Clerk return said bills to the Assembly.

A bill was received from the Assembly for concurrence, entitled "An act to incorporate the village of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act for the appraisalment of canal damages of James," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act to change the name of Emeline Kemp, to Emma Kate Cummings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A bill was received from the Assembly for concurrence, entitled "An act relating to Platt street sewer, in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the erection of an armory for the military in the city of Brooklyn, and to authorize the sale of the building now used as an armory in said city," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to provide for the construction of a bridge across Tonawanda creek, in the town of Batavia, county of Genesee," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to amend an act entitled 'An act authorizing a permanent plan to be made for the location of streets, roads and avenues in

the town of Bushwick, in the county of Kings,' passed April 14, 1852," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act to authorise the Flatbush plank road company, to collect toll in certain cases," which was read the first time, and by unanimous consent was also read the second time.

• By unanimous consent,

• *Ordered*, That said bill do have its third reading.

A bill was received from the Assembly for concurrence, entitled "An act for the better security of passengers and others traveling on railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A bill was received from the Assembly for concurrence, entitled "An act to prevent the re-issue of the circulating notes of banks whose charters have expired," which was read the first time.

Mr. Huntington objected to the second reading.

Mr. Babcock moved to suspend the rules of the Senate, so as to take action on said bill, in pursuance of notice previously given for such purpose.

The question having been raised whether such notice had been given, the subject was laid aside for the present.

Mr. Conger moved to lay the present order of business (reports of select committees), on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative.

On motion of Mr. Clark, and by unanimous consent,

Resolved, That the Senate at once proceed to the third reading of bills, and continue the same until recess.

The Assembly bill entitled "An act to amend an act entitled 'An act to equalise taxation,' passed May 13, 1846," was read a third time, when

Mr. Conger moved to recommit to the committee on the internal affairs of towns and counties, with instructions to make the following amendment:

• § 2. When any person or persons entitled to receive such rents as aforesaid, shall file with the clerk of the county on or before the 1st day of August, in the year 1853, and thereafter on or before the fifth day of July, in each year, an affidavit that he or they have been, after exhausting all legal remedies available to them, unable to collect such rent or any part thereof, for the two years preceding the time of filing such affidavit, it shall be the duty of the officers in such town, authorised by the first section of this act to assess such taxes, to assess the same upon the person or persons having an interest in any such lands, who have neglected to pay their rents as aforesaid, and they shall have full

right on making any payment thereafter of any such rents, to make such taxes so paid by them and to tender the receipt therefor, and to charge the interest thereon as in part payment of the amount due for rent as aforesaid.

Mr. Upham moved to lay the said bill and motion of Mr. Conger, on the table.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and the vote was as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Kirby	Munroe	Upham
Beach	Conger	McElwain	Platt	Vanderbilt
Beckman				

11

FOR THE NEGATIVE.

Bartlett	Newcomb	Pierce	Snow	VanSchoonhoven
Cornell	Otis	Rogers	Taber	Wright
Jones				

11

There being a tie, the President gave the casting vote in the negative.

The President announced the question to be on the motion of Mr. Conger, to recommit with instructions, &c.

Debate was had thereon, when

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion of Mr. Conger, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	McElwain	Newcomb	Upham
Beckman	Conger	Munroe	Platt	

9

FOR THE NEGATIVE:

Bartlett	Jones	Rogers	Vanderbilt	Williams
Cornell	Otis	Snow	VanSchoonhoven	Wright
Davenport	Pierce	Taber		

13

Said bill was then read again a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative; a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Otis	Snow	VanSchoonhoven
Beach	Davenport	Pierce	Taber	Williams
Bristol	Jones	Rogers	Vanderbilt	Wright
Clark				

16

FOR THE NEGATIVE.

Babcock	Conger	Munroe	Platt	Upham
Beckman	McElwain	Newcomb		

8

Mr. Pierce moved to reconsider the vote just taken, and that such motion be laid upon the table.

The President announced the question to be on laying the motion of Mr. Pierce on the table.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to lay said motion on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Otis	Taber	Williams
Beach	Cornell	Pierce	Van Schoonhoven	Wright
Bristol	Davenport	Rogers		

18

FOR THE NEGATIVE.

Babcock	Conger	McElwain	Platt	Upham
Beckman	Jones	Munroe		

8

The Assembly bill entitled "An act in relation to the office of register of deeds of the city and county of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Clark	Kirby	Otis	Vanderbilt
Beckman	Cornell	McElwain	Platt	Williams
Bennett	Davenport	Munroe	Rogers	Wright
Bristol	Jones	Newcomb		

18

FOR THE NEGATIVE.

Morgan

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorize the board of supervisors of the county of Ontario, to sell the court house of said county, and to erect a new court house; also, to compromise and settle claims against certain railroad corporations," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Clark	Jones	Newcomb	Taber
Bartlett	Cornell	Kirby	Otis	Upham
Beach	Davenport	McElwain	Platt	Williams
Beckman	Huntington	Morgan	Rogers	Wright

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill, entitled "An act to alter the map of the city of New-York, by laying out thereon a public place, and to authorize the taking of the same," with power to report complete, so reported, and said bill was ordered to a third reading.

On motion of Mr. Beekman, and by unanimous consent,

The Assembly bill entitled "An act relative to the purchase, possession and laying out of certain lands for a public park in the city of New-York, and the powers and duties of the mayor, aldermen and commonalty, relative thereto," was recommitted to the select committee previously having the same in charge, with instructions to make the following amendments, and report forthwith:

Amend section 4th, by striking out the words "within four months," wherever it occurs; also, strike out the words "in the time aforesaid" in the 9th line; also, amend section 6th, by striking out all after the word "appointed" in the fifth line.

Mr. Beekman, from the select committee, to which was recommitted said bill, reported the same back as instructed.

Ordered, That said bill do have its third reading.

The bill entitled "An act to alter the map of the city of New-York, by laying out thereon a public place, and to authorize the taking of the same," was read a third time, when

Mr. Conger moved to recommit the same to the committee on the incorporation of cities and villages, with instructions to amend the same as follows:

By striking out the words "is hereby declared to be," and inserting after the word "avenue" in the fifth line, the words "or so much thereof as may be determined upon as hereinafter provided, shall upon such determination become," in the first section; and striking out the word "the" in the 7th line; also striking out in the 11th line, "is hereby" and inserting "shall be" in said section: also, by inserting in lieu of the words "to take the said piece of land," in the second and third lines, the words "to appoint five commissioners to enquire and report upon the expediency of taking the whole or any part of the said lands; and on the coming in of said report, the common council shall by and with the approbation of the mayor of said city, decide whether the lands above described, or any part thereof, shall be taken for such park; and shall, in case they decide to take the same, or any part thereof, refer their action to the next common council, to be chosen at the next general election of council men, for their approval, modification or rejection.

If in the next common council to be chosen as aforesaid, it

shall be decided to take any or all of the lands decided upon as aforesaid, then the said mayor, aldermen and commonalty, are thereupon authorised to take the said piece of land described in the first section of this act, or so much thereof as may have been decided upon as last aforesaid "

Debate was had thereon, when

Mr. Conger called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Conger	Jones	Kirby	Rogers	Taber	5
--------	-------	-------	--------	-------	---

FOR THE NEGATIVE.

Babcock	Bennett	Cooley	Munroe	Upham	
Bartlett	Bristol	Davenport	Platt	Vanderbilt	
Beach	Clark	Huntington	Snow	Wright	
Beekman					16

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Otis	Vanderbilt	
Bristol	Huntington	Morgan	Snow	Williams	
Cooley	Jones	Munroe	Taber	Wright	
Cornell	Kirby				17

FOR THE NEGATIVE.

Conger	Newcomb	Platt	3
--------	---------	-------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act relative to the purchase, possession, and laying out of certain lands for a public park in the city of New-York, and the powers and duties of the mayor, aldermen and commonalty relative thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Bennett	McElwain	Pierce	Upham	
Beach	Bristol	Otis	Snow	Williams	
Beekman	Kirby				12

FOR THE NEGATIVE.

Babcock	Cooley	Huntington	Morgan	Platt	
Conger	Cornell	Jones	Munroe	Taber	10

Mr. Beach moved that said vote be reconsidered, and that such motion do lay upon the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

By unanimous consent,

Mr. Morgan, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to incorporate the village of Yonkers," reported in favor of the passage of the same without amendment.

By unanimous consent,

Ordered, That said bill do have its third reading.

By unanimous consent,

Mr. Conger asked and obtained leave to introduce a bill entitled "An act in reference to clerk hire in the Comptroller's office, and appropriating money therefor," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Newcomb	Snow
Bartlett	Conger	Kirby	Otis	Upham
Beach	Cooley	McElwain	Pierce	Williams
Beckman	Cornell	Morgan	Platt	Wright
Bennett	Huntington			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bill :

"An act to alter the map of the city of New-York, by laying out thereon a public place, and to authorise the taking of the same."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly bill entitled "An act to amend the act to incorporate the city of Buffalo, passed April 20, 1832, and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Otis	Taber
Bartlett	Conger	Kirby	Pierce	Upham

Beach	Cooley	McElwain	Platt	Williams	
Beekman	Huntington	Morgan	Snow	Wright	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Cornell, and by unanimous consent,

Resolved, That the Senate take a recess until a quarter past 3, p. m., to-day, instead of 4, p. m.

The Assembly bill entitled "An act in relation to the Marine court of the city of New-York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Conger	Jones	Morgan	Snow	
Beekman	Cornell	Kirby	Munroe	Upham	
Bennett	Davenport	McElwain	Newcomb	Williams	
Bristol	Huntington				17

FOR THE NEGATIVE.

Babcock	Platt	2
---------	-------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the trustees of the New-York central college, to sell or mortgage all or a part of their real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bennett	Huntington	Morgan	Snow	
Bartlett	Bristol	Jones	Newcomb	Taber	
Beach	Conger	Kirby	Otis	Williams	
Beekman	Cornell	McElwain	Platt	Wright	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment

At a quarter to two o'clock, p. m., the Senate took a recess to a quarter past three.

QUARTER PAST THREE O'CLOCK, P. M.

The Senate again met.

A message from the Assembly was received and read, inform-

ing that they had concurred in the amendments of the Senate, to the following entitled bill:

"An act to amend an act passed April 4, 1853, entitled 'An act to amend an act entitled 'An act to authorise the payment of money by the county of Columbia, to the Hudson orphan relief asylum,' passed April 10, 1851.'"

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received and read, informing that they had passed, without amendment, the following entitled bill:

"An act to authorise the Grocers' steam sugar refining company of New-York, to borrow money."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Assembly was received and read, informing that they had non-concurred in the amendments of the Senate, to the following entitled bill:

"An act to prevent the sale of intoxicating liquors as a beverage."

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bill:

"An act to provide means to pay State debts, to support the government, and to carry on the public works by taxes and by tolls on railroads."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received and read, informing that they have this day elected Messrs. David O'Keefe, jr., and Jenks S. Sprague, as a committee on the part of the House, to examine the treasurer's accounts, &c.

Mr. Taber moved that the Senate do proceed to elect by ballot, a committee on the part of the Senate, to examine into the treasurer's accounts.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The Senate then proceeded to ballot for the committee on the part of the Senate, and the result was a majority of all the votes cast in favor of Myron H. Clark.

A bill was received from the Assembly for concurrence, entitled "An act for the relief of James W. Patten," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

A bill was received from the Assembly for concurrence, entitled "An act regulating the hours of labor on public works," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirma-

tive, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Huntington	Newcomb	Upham
Beach	Cooley	McElwain	Pierce	Vanderbilt
Beekman	Cornell	Morgan	Platt	Van Schoonhoven
Bristol	Davenport	Munroe	Taber	Wright 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

On motion of Mr. Bristol,

The committee of the whole were discharged from the further consideration of the Assembly bill, entitled "An act for the relief of the heirs at law of William Griffin, deceased," and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	Huntington	Otis	Upham
Beach	Cooley	McElwain	Pierce	Vanderbilt
Beekman	Cornell	Morgan	Platt	Van Schoonhoven
Bennett	Davenport	Newcomb	Snow	Wright
Bristol				21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill :

"An act in relation to Surrogates' courts held by county judges and other officers."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Clark	McElwain	Otis	Upham
Beekman	Cooley	Morgan	Platt	Vanderbilt
Bennett	Davenport	Newcomb	Snow	Wright
Bristol	Huntington			17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bills:

"An act for the appraisement of canal damages of John H. Stafford."

"An act authorising the commissioners of highways of the town of Warsaw, in the county of Wyoming, to construct a drain from the Buffalo road to Allen's creek."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received and read, informing that they had passed, with the amendments therewith delivered, the following entitled bill:

"An act to amend an act to incorporate the Auburn female seminary, passed January 29, 1852."

Said amendments having been read,

The President put the question whether the Senate would agree to the said amendments, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Huntington	Morgan	Platt
Beach	Clark	Kirby	Newcomb	Snow
Beekman	Cooley	McElwain	Otis	Upham
Bennett	Davenport			

17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments thereto.

A message from the Assembly was received and read, informing that they had non-concurred in the amendments of the Senate, to the following entitled bill:

"An act to alter the map of the city of New-York, by laying out thereon a public place, and to authorise the taking of the same."

Mr. Morgan moved that the Senate do recede from their amendments to said bill, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, a majority of all the members elected to the Senate, not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Davenport	McElwain	Otis	Upham
Bristol	Huntington	Morgan	Snow	Vanderbilt
Clark	Kirby	Munroe	Taber	Wright
Cooley				

18

FOR THE NEGATIVE.

Beekman	Newcomb	Platt
---------	---------	-------

3

Mr. Cooley moved to reconsider the vote just taken.

Mr. Beekman moved to lay said motion on the table.

Mr. Morgan called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bennett	Newcomb	Platt	Upham	
Beekman	Clark				7

FOR THE NEGATIVE.

Babcock	Cooley	Jones	Munroe	Vanderbilt	
Bristol	Davenport	McElwain	Otis	VanSchoonhoven	
Conger	Huntington	Morgan	Taber	Wright	15

The President then put the question whether the Senate would agree to reconsider said vote, and it was decided in the affirmative.

The President then announced the question to be on receding from the amendments made by the Senate to said bill.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to recede from their amendments to said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cooley	Jones	Munroe	Vanderbilt	
Beach	Cornell	Kirby	Snow	VanSchoonhoven	
Bristol	Davenport	McElwain	Taber	Wright	
Clark	Huntington	Morgan			18

FOR THE NEGATIVE.

Bartlett	Beekman	Newcomb			3
----------	---------	---------	--	--	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have receded from their amendments to said bill.

Mr. Beekman moved to take from the table the motion to reconsider the vote on the final passage of the bill entitled "An act relative to the purchase, possession, and laying out of certain lands for a public park in the city of New-York, and the powers and duties of the mayor, aldermen, and commonalty relative thereto."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on the reconsideration of the vote on the final passage of said bill.

Mr. Cooley called for the ayes and noes.

The President put the question whether the Senate would agree to reconsider said vote, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Kirby	Pierce	Vanderbilt	
Bartlett	Bristol	McElwain	Snow	VanSchoonhoven	

Beach	Cornell	Otis	Upham	Wright	16
Beekman					

FOR THE NEGATIVE.

Cooley	1
--------	---

Mr. Cooley moved to recommit said bill.

Debate was had thereon, when

Mr. Platt arose to a question of privilege, calling upon the committee to which had been referred charges in relation to himself and other Senators, whereupon

Mr. Babcock offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the select committee appointed to inquire into certain charges preferred against Senator Platt and others, be instructed to report upon the subject referred to them, forthwith.

Mr. Cornell called for the ayes and noes.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Huntington	Munroe	Taber	
Bartlett	Clark	McElwain	Platt	Upham	
Beach	Cooley	Morgan	Snow	Vanderbilt	
Beekman					16

FOR THE NEGATIVE.

Bristol	Cornell	Kirby	Otis	Rogers	7
Conger	Jones				

It was announced that one of the select committee to which was referred charges as aforesaid, was absent, whereupon

The President appointed Mr. Bristol as one of said committee, in place of Mr. Ward, who is absent.

The President announced the question before the Senate to be on the motion of Mr. Cooley, to recommit Jones' Wood Park bill so called.

Mr. Cooley then withdrew his said motion.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Kirby	Pierce	Upham	
Beach	Cornell	McElwain	Rogers	Vanderbilt	
Beekman	Davenport	Otis	Snow	Wright	
Bennett	Huntington				17

FOR THE NEGATIVE.

Babcock	Conger	Cooley	Morgan	Platt	5
---------	--------	--------	--------	-------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bills:

"An act to amend an act to provide for the incorporation of companies to construct plank roads, and of companies to construct turnpike roads, passed May 7, 1847, and the acts amendatory thereof."

"An act for the protection of birds in public cemeteries."

"An act to release the right, title and interest of the people of this State, to certain land and property in Niagara co., to Mary Large and Ann Hewson, and to enable them to hold the same."

Ordered, That the Clerk deliver said bills to the Governor.

A bill was received from the Assembly for concurrence, entitled "An act to amend the act incorporating the village of Geneva," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A bill was received from the Assembly for concurrence, entitled "An act to punish persons guilty of wilfully obstructing the running of railroad cars," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent,

Ordered, That said bill do have its third reading.

A resolution from the Assembly was received and read, in the words following, to wit:

Resolved (If the Senate concur), That one copy of the report on the public school policy, by W. L. Crandall, be printed for each school district in the State, and also one thousand copies for the use of said Crandall.

Ordered, That said resolution be referred to the committee on public printing.

The Assembly bill entitled "An act to repeal sections 9, 11, 13, 14, and part of section 10, and 15, of title 4, part 1, chapter 13 of the Revised Statutes, entitled 'of regulations concerning the assessment of taxes on incorporated companies and the commutation thereof,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bristol	Jones	Otis	Rogers
Bartlett	Conger	Kirby	Pierce	Snow
Beekman	Cornell	McElwain	Platt	Upham
Bennett	Davenport	Morgan		

FOR THE NEGATIVE.

Cooley	Taber	Vanderbilt	Wright
--------	-------	------------	--------

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to change the name of Oliver P. Buck," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Davenport	McElwain	Newcomb	Platt
Beekman	Huntington	Morgan	Otis	Snow
Bennett	Jones	Munroe	Pierce	Upham
Bristol	Kirby			

17

FOR THE NEGATIVE.

Rogers

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to authorise the Flatbush plank road company to collect toll in certain cases," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Jones	Newcomb	Taber
Bartlett	Bristol	Kirby	Otis	Upham
Beach	Conger	McElwain	Platt	Vanderbilt
Beekman	Huntington	Morgan	Snow	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The Assembly bill entitled "An act to incorporate the village of Yonkers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Babcock	Bennett	Kirby	Otis	Upham
Bartlett	Clark	McElwain	Platt	Vanderbilt
Beach	Huntington	Munroe	Rogers	Williams
Beekman	Jones	Newcomb	Taber	Wright

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The bill entitled "An act to repeal an act entitled 'An act to facilitate the service of process in certain cases,' passed June 30, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Otis	Snow	Williams
Bennett	Davenport	Pierce	Taber	Wright
Bristol	Jones	Rogers	VanSchoonhoven	18

FOR THE NEGATIVE.

Babcock	Huntington	McElwain	Newcomb	Upham
Beckman	Kirby	Munroe	Platt	Vanderbilt
Conger				11

Mr. Van Schoonhoven moved to reconsider said vote, and that such motion do lay on the table.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

Mr. Babcock moved to lay the present order of business (the third reading of bills), on the table, and called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Babcock	Davenport	Newcomb	Pierce	Snow
Conger	Jones	Otis	Platt	Vanderbilt
Cooley				11

FOR THE NEGATIVE.

Beckman	Huntington	Munroe	Taber	Williams
Bennett	Kirby	Rogers	Upham	Wright
Bristol	McElwain			12

The Assembly bill entitled "An act to provide for the construction of a bridge across Tonawanda creek, in the town of Batavia, county of Genesee," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Babcock	Bennett	Huntington	Munroe	Platt
Bartlett	Bristol	Jones	Newcomb	Upham

Beach	Conger	Kirby	Otis	Vanderbilt	
Beekman	Davenport	McElwain	Pierce	Wright	20

FOR THE NEGATIVE.

Cooley

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

By unanimous consent,

Mr. Babcock, from a majority of the committee on public printing, to which was referred the concurrent resolution from the Assembly for printing report of W. L. Crandall, on public school policy of this State, for school districts and said Crandall, reported the following:

The committee on public printing, to which was referred the joint resolution from the Assembly, authorising the printing of W. L. Crandall's report on the public school policy, reported in favor of the adoption of the same, with the following amendment, viz: "Provided the whole expense of the same shall not exceed eight hundred dollars."

The President put the question whether the Senate would agree to the said report, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the same with an amendment.

The Assembly bill entitled "An act authorising the Canal Appraisers to examine the claim of Lawrence Seymour and others, for damages sustained in consequence of the destruction of the dam on the Oneida river," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beekman	Huntington	Morgan	Otis	VanSchoonhoven
Bennett	Jones	Munroe	Rogers	Williams
Bristol	Kirby	Newcomb	Snow	

14

FOR THE NEGATIVE.

Babcock	Conger	Cooley	McElwain	Vanderbilt	5
---------	--------	--------	----------	------------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly bill entitled "An act declaring Beaver river a public highway, and regulating the passage of logs and timber down the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Cornell	McElwain	Rogers	Vanderbilt
Beach	Davenport	Munroe	Smith	VanSchoonhoven
Beckman	Huntington	Newcomb	Snow	Williams
Bennett	Kirby	Platt	Upham	19

FOR THE NEGATIVE.

Babcock	Conger	Jones	Taber	Wright	5
---------	--------	-------	-------	--------	---

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

Mr. Platt called for the report of the committee, to which was referred charges against himself and other Senators, as a question of privilege, whereupon

Mr. Taber offered for the consideration of the Senate, a resolution, in the words following, *te wit*:

Resolved, That the complaint, at the session of this body, of 1852, that the Senator from the 20th (Mr. Platt), had used the improper language imputed to him in the said complaint, is unfounded and injurious to the Senator from the 20th, and that no improper act or motive is in any way attributable to the Senator from the 15th.

Mr. Bristol offered the following amendment, as a substitute:

Resolved, That all charges and complaints made against any member or members of this body, be considered as withdrawn, and are hereby withdrawn; that all causes, or seeming causes of complaint, are of right looked upon as indiscretions, common to human nature, and mutually forgiven.

The President put the question whether the Senate would agree to the said amendment, and it was decided in the affirmative.

Mr. Platt moved that the vote just taken, be reconsidered.

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President announced the question to be on the substitute.

The ayes and noes being called,,

The President put the question whether the Senate would agree to the said substitute, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bristol	Jones	Kirby	Otis	Snow	6
Davenport					

FOR THE NEGATIVE.

Babcock	McElwain	Platt	Upham	VanSchoonhoven
Cooley	Munroe	Taber	Vanderbilt	Wright
Huntington				11

The President put the question whether the Senate would agree to the amendment of Mr. Vanderbilt, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the said resolution of Mr. Taber, as amended, and it was decided in the affirmative.

Mr. Van Schoonhoven moved to take from the table the motion to reconsider the vote on the final passage of the bill entitled "An act to amend an act to equalise taxation, passed May 13, 1846."

The President put the question whether the Senate would agree to the said motion, and it was decided in the affirmative.

The President put the question whether the Senate would agree to reconsider the vote on the final passage of said bill, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Huntington	Otis	Taber
Beach	Cornell	Jones	Pierce	VanSchoonhoven
Bennett	Davenport	Newcomb	Rogers	Wright 15

FOR THE NEGATIVE.

Babcock	Munroe	Snow	Upham	Vanderbilt
Kirby	Platt			7

Said bill was then again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Bristol	Huntington	Pierce	Taber
Beach	Cornell	Jones	Rogers	VanSchoonhoven
Bennett	Davenport	Otis	Snow	Wright, 15

FOR THE NEGATIVE.

Babcock	McElwain	Platt	Upham	Vanderbilt
Kirby	Munroe			7

Mr. Cornell moved to lay the present order of business (the third reading of bills), on the table.

The President put the question whether the Senate would agree to the said motion, and the vote was as follows:

FOR THE AFFIRMATIVE.

Babcock	Conger	Davenport	Pierce	Taber
Bartlett	Cornell	Jones	Rogers	Wright
Bristol				11

FOR THE NEGATIVE.

Beach	Kirby	Munroe	Platt	Upham
Bennett	McElwain	Otis	Snow	Williams
Huntington				11

There being a tie, the President gave the casting vote in the affirmative.

Mr. Cornell moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act prescribing regulations for disbursements upon the canals and for other purposes," and that the same be ordered to a third reading.

Mr. Pierce called for the ayes and noes.

The President put the question whether the Senate would agree to the said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Babcock	Cornell	Kirby	Otis	Rogers
Bristol	Jones	Morgan	Pierce	Williams
Conger				

11

FOR THE NEGATIVE.

Beach	McElwain	Newcomb	Snow	Vanderbilt
Bennett	Munroe	Platt	Upham	VanSchoonhoven
Huntington				

11

Mr. Munroe offered for the consideration of the Senate, a resolution in the words following, to wit:

Resolved, That the thanks of the Senate be and are hereby tendered to the Hon. Sanford E. Church, President of the Senate, for the courteous, able and impartial manner in which he has discharged the duties of the chair during the present and regular session of the Legislature.

The President put the question whether the Senate would agree to the said resolution, and it was decided in the affirmative.

A message from the Assembly was received and read, informing that they had concurred in the amendments of the Senate, to the following entitled bill:

"An act relative to the purchase, possession, and laying out of certain lands for a public park in the 19th ward of the city of New-York, and the powers and duties of the mayor, aldermen and commonalty relative thereto."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received and read, informing that they had passed without amendment, the following entitled bills:

"An act to amend the charter of the Niagara Falls international bridge company."

"An act to release the interest of the people of the State in certain lands acquired by escheat on the death of James Scrymgeour."

"An act in reference to clerk hire in the Comptroller's office, and appropriating money therefor."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Governor was received and read, informing that he had approved and signed the following entitled bills, to wit:

"An act to amend the act for the protection of emigrant passengers arriving at the city of New-York, passed April 13, 1853."

"An act to authorise the Grocers' steam sugar refining company of New-York, to borrow money."

"An act to confirm the title of Cornelius Vanderbilt to certain land under water in the county of Richmond, and to make certain letters patent valid."

"An act for the protection of birds in public cemeteries."

"An act authorising the commissioners of the town of Warsaw, in the county of Wyoming, to construct a drain from the Buffalo road to Allen's creek."

"An act to amend an act to incorporate the Auburn female seminary, passed January 29, 1852."

"An act in relation to Surrogates' courts held by county judges and other officers."

"An act to release the right, title and interest of the people of this State, to certain land and property in Niagara co., to Mary Large and Ann Hewson, and to enable them to hold the same."

"An act to amend an act to provide for the incorporation of companies to construct plank roads, and of companies to construct turnpike roads, passed May 7, 1847, and the acts amendatory thereof."

"An act for the appraisement of canal damages of John H. Stafford."

The bill entitled "An act to amend the charter of the New-York central insurance company of Cherry Valley, Otsego co.," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Beach	Davenport	McElwain	Platt	Upham
Barnett	Huntington	Morgan	Rogers	Vanderbilt
Bristol	Jones	Munroe	Now	Williams
Conger	Kirby	Otis	Taber	

19

FOR THE NEGATIVE.

Wright

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Auburn orphan asylum of the holy family," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bartlett	Conger	Kirby	Otis	Snow
Beach	Cooley	McElwain	Pierce	Taber
Beekman	Davenport	Morgan	Platt	Upham
Beauregard	Huntington	Munroe	Rogers	Wright
Bristol	Jones	Newcomb		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

A message from the Assembly was received and read, informing that they do concur in the amendment of the Senate, to the resolution in relation to the printing of the report of W. L. Crandall on the public school policy.

On motion of Mr. Pierce,

Resolved, That a committee of two be appointed to inform the honorable the Assembly, that the Senate having no further business before it, is ready to adjourn sine die.

The President appointed as such committee, Messrs. Pierce and Beekman.

On motion of Mr. Upham,

Resolved, That a committee of two be appointed to wait upon his Excellency, the Governor, and inform him that the Senate has no further business before it, and is ready to adjourn.

The President appointed Messrs. Upham and Cooley, as such committee.

On motion of Mr. Taber, it was unanimously

Resolved, That Edwin D. Morgan be appointed the President pro tem. of this body.

On motion of Mr. Huntington,

Resolved, unanimously, That the thanks of the Senate be and are hereby tendered to the clerk, deputy clerks, officers and messengers of this Senate, for the able and courteous manner in which they have discharged their duties during the regular and extra sessions of the Legislature.

Mr. Pierce, from the committee to wait on the Assembly and inform that body the Senate had no further business before it, and was ready to adjourn, reported they had discharged the duty assigned them.

Messrs. Holley and Westover, a committee from the Assembly, appeared in the Senate chamber, and announced that the Assembly had no further business before it, and was ready to adjourn.

Mr. Upham, from the committee to wait on the Governor, and inform him that the Senate was through with its business and ready to adjourn, reported that they had discharged the duty assigned them, and that the Governor informed them that he had no further communication to make to the Legislature.

The Assembly bill entitled "An act to amend an act entitled 'An act authorising a permanent plan to be made for the location of streets, roads and avenues, in the town of Bushwick, in the

county of Kings,' passed April 14, 1852," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bartlett	Cornell	Kirby	Newcomb	Snow	
Beekman	Davenport	McElwain	Otis	Vanderbilt	
Bennett	Huntington	Morgan	Platt	Williams	
Conger	Jones	Munroe	Rogers	Wright	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have passed the same without amendment.

The following communication was received from the Hon. Sanford E. Church, President of the Senate :

ALBANY, July 21st, 1853.

To the Hon. the Senate :

I have the honor to acknowledge through the Clerk, the receipt of a copy of a resolution expressing the approbation of the Senate of the manner in which I have discharged the duties of presiding over its deliberations.

A large and almost unprecedented amount of business of an important character has been brought before the Legislature at its late and present session, in relation to some of which, wide and radical differences of opinion have existed, producing the severest conflicts in debate, and at times engendering feelings bordering upon personal animosity.

While, therefore, the duties of the chair have occasionally been rendered more than usually embarrassing, I am peculiarly gratified to know that I have so far retained the confidence of Senators as not to incur their final censure, and to believe that if at any time this confidence has appeared to be weakened or impaired in any degree, it was attributable to a supposed political necessity of the moment, rather than a deliberate conviction on the part of the Senate, that the rules of fairness and impartiality either had been or would be violated.

I am profoundly grateful for the uniform kindness and courtesy which has been manifested towards me personally by Senators, and for the valuable aid which has been afforded me by the able and efficient clerk and other officers of the Senate.

It is not probable that we shall meet again in a legislative body ; and in view of the harmonious and satisfactory adjustment of the principal question out of which much embittered feeling has arisen, and especially in view of the comparatively fleeting and insignificant nature of all earthly questions, now as we are about to separate, may I not invoke the spirit of charity and forgiveness, to enable us all to part as friends, to forget the diffe-

rences (if they still exist), which may have caused a temporary estrangement, and to remember only the more pleasing and intimate relations which have been formed during our official intercourse.

For myself, while I have undoubtedly committed many errors, I am certain that no intentional injustice has been done to any one, and I entertain for Senators no other than the highest respect, the kindest personal feelings, and a sincere desire for their future welfare and happiness.

With heartfelt thanks for the expression of approval contained in the resolution referred to, and wishing the safe return of every Senator to his family and his constituents, I bid you all farewell.

S. E. CHURCH.

At six o'clock, p. m., Mr. Morgan, president pro tem. after thanking the Senate in appropriate terms for the honor conferred on him in electing him unanimously as their presiding officer, pro tem declared the Senate adjourned, in pursuance of a concurrent resolution heretofore adopted by the Senate and Assembly, sine die.

INDEX

OF THE

JOURNAL OF THE SENATE.

A.

Abuses in city government, N. Y., petition in relation to,	186
	192, 261
Academies, Newburgh, bill to sell a lot of ground,...	50, 55, 175
	181, 183, 484, 499
Brooklyn female,.	119, 123, 132, 140, 142, 144, 148, 160
Cayuga,.....	334, 370, 431, 454, 595, 669, 699
Franklin,	344
Aurora,	393
Utica,	447, 469, 691
New-York, of medicine,	536, 559, 710, 750
time extended to make returns,	695
Monroe,	712, 743, 770, 775
Accidents on railroads, report of select committee, to in-	
quire into causes of,	55, 57, 69
Acknowledgment of deeds by persons residing out of the	
State, act to provide for,.	110, 414, 604, 621, 720, 751
	823, 845
by surrogates, bill noticed for,	323, 329
Adams, Assembly bill to make separate road dist. in,	389, 495, 682
Adams, John and Robert, petition for damages,	172
report of committee,	641
Adams, Wm., petition for relief,	96
bill,	219, 478, 547, 785
Addison and Elkland plank road co., bill for relief of,	272, 287
Adjournments of the Senate and Legislature, motions, &c.,	
in relation to, 30; 43, 45, 64, 87; 89, 206, 209, 229, 252	
475, 482, 568, 604, 647, 664, 974, 977, 981, 986, 994	

Adjournments, &c., final adjournment,	647, 680, 980, 988, 993
resolution to adjourn 9th June,	685, 693
to adjourn on 21st of June,	820
to adjourn on Thursday, 7th July, (Mr. Williams,)	922
conference committee,	945
resolution about adjourning,	922
resolution to adjourn on the 21st July,	945, 1081
to adjourn sine die,	1081, 1087
to adjourn sine die,	1114, 1116
Adjutant General, annual report of,	98
motion to print,	171, 193
report of, of clerk hire in his office,	282
Afternoon sessions, see resolution by Mr. Cooley,	137
Aged and indigent masons, petition for a-ylum for,	128
Agents, (see State prison agents.)	
Agricultural college, petition for,	66
Agricultural, horticultural and poultry societies, bill for formation of,	350, 378, 537, 565, 709, 757
Agricultural society, Rensselaer co.,	36
bill,	58, 68, 74
(see Liberia ag. society.)	
Delaware co.,	196
Dutchess co.,	213, 449, 464, 671
Aid to emigrants of color, notice of bill for,	36
bill,	39
Alabama, (see resolution by Mr. Babcock.)	
Albany, bill in relation to violations of ordinances of com- mon council of,	757, 787, 926, 960
petition for a division,	66, 157, 226, 233, 261, 319
bill to extend time for collecting taxes in, except in the city of,	94, 99, 106
committee discharged,	597
State engineer and surveyor, to report as to a bridge at,	170, 189
bill to extend time for collecting taxes in towns in,	231
.	235, 240
bill to annex the highway between Broadway, in Al- bany, and the Watervliet turnpike, to said turnpike,	377
Young Men's Association,	389, 391, 441
Penitentiary, (see penitentiaries.)	
bill in relation to common schools in,	844, 887, 984
(see savings banks.)	
invitation to participate with the citizens of, in cele- brating the 4th of July,	952
Albany Guardian Society and Home for the Friendless, me- morial of the,	83
bill,	118
Albany Industrial Home, bill for the relief of,	83, 118, 216
(see home for the friendless.)	

Albany and New-Baltimore Ship Canal and Basin Co., bill to incorporate,.....	227, 245, 284, 302, 371, 380, 618, 645
Albany Savings Bank, annual report,.....	544
bill relative to,	819, 823, 845, 851
Albany and Susquehanna Railroad Co., notice of bill to extend time to comply with general railroad act,...	152
bill,	159, 167, 275, 277, 280, 321
remonstrance,	233
notice of bill repealing parts of law relating to a pledge of the credit of the city of Albany,	276
bill,	278, 379
Albany Tunnel Co., notice of bill to extend time to comply with conditions of their incorporation,	719
bill,	724, 726, 996, 1018, 1058
Albion, petition for amendment of charter,	196
bill,	202, 301, 307, 325, 347, 356, 425
Albion Plank Road Co., petition in relation to, 66, 131, 134, 144	
bill relative to toll gate on, 152, 278, 285, 289, 302, 663	680
Alleged abuses in the city government of New-York, petition for a committee to inquire into,	657
Allen, W. T., and F. T. Carrington, petition to hold real estate,	201
Allen Creek at LeRoy, bridge at,	558
Alloway, bridge at,	534, 691, 743, 799, 843
American authors, standard works of, 31, 36, 96, 176, 214, 225	232, 262, 274
American and Foreign Bible Society, memorial of the,	715
bill,	720, 727, 756
American Geographical and Statistical Society, notice of bill to incorporate,	56
bill,	59, 403
American independence, Assembly bill to erect a monument commemorative of,	607, 621, 777, 805, 843
(see Young Men's Association.)	
(see Troy.) (see Albany.)	
American Oil Company, petition for change of name,	722
bill,	722, 736, 766, 880
American Peace Society, petition of the, for peaceful substitutes for war,	131
American Register, (Stryker's) petition of author of, for distribution of, in school districts,	195
bill noticed,	223
bill,	245, 255, 366, 372, 424
American statesmen, resolution by Mr. Pierce, that a select committee be appointed to report resolutions expressive of the sentiments of the people upon the characters and services of the distinguished American statesmen,	190
Amendment to the Constitution to complete canals, (see Constitution.)	

Amsterdam, Mohawk and Palatine, bill to extend time for collecting taxes in,	98, 146
Angelica and Belvidere Plank Road Co., Assembly bill to erect gates,	618, 743
petition of the,	715, 761, 796
Anthony, P. C., petition for relief,	96
Anthony, Susan B., communication from,	84
Antwerp company, petition for extension of time to hold real estate,	208
bill,	254, 327, 341, 357, 679
Appeals, bill concerning,	815, 990, 999, 1016, 1031
Appraisers, (see Canal Appraisers.)	
Appraisalment of damages, petition in relation to an error in an, in the case of O. Pool, deceased,	30
of John E. Van Eps,	37, 188
Appropriation of money, resolution in relation to the,	75, 79
Appropriation and supply bill, to be reported by the 15th of March,	85
(see rules and select committee.)	
resolution to introduce forthwith,	429
(see State stocks.)	
Arboleda, Julio, notice of bill to hold real estate,	245
petition of,	253
bill,	258, 289, 302, 322, 339, 354, 786
Arcadia and Newark, petition to unite,	296
(see Newark.)	
Armory, (see Brooklyn.)	
Assaults with deadly weapons, bill to provide for the punishment of,	937, 946
Assay office, U. S., in New-York, Assembly bill to exempt from tax,	572, 583, 708, 744, 777, 796
Assembly, committee from the, that the House was ready for business,	3
to transmit papers of sundry persons to the Senate,	37
message from the, to transmit papers of sundry claims,	38, 45
committee of the, to revise joint rules,	59
committee to wait on the, and inform that body that the Senate was ready for business,	650
committee from the Assembly,	650
Assessments of taxes on incorporated companies (see R. S.)	
bill to regulate, 388, 429, 538, 603, 690, 694, 715, 783, 787	
795, 1106	
Assessments in New-York, notice of bill to amend laws relative to,	215
(see taxes in N. Y.)	
Assessors, street department, N. Y., bill to regulate compensation of,	755, 796, 816, 850, 870, 879, 913

Assessors, in Troy, 170, 171, 187, 220, 484, 499
 bill in relation to relief of, for enrolling the militia, 398,
 410, 609

(see N. Y.)

Assessment rolls, (see equalization of assessments and correction of.)

Assessments, equalization, valuations, &c., resolutions by
 Mr. Pierce, in relation to, 126, 180
 resolutions by Mr. Van Schoonhoven in relation to, 181
 reports from county clerks in relation to, 214, 222 227
 241, 259, 265, 287, 302, 314

(see New-York.)

bill by Mr. Pierce, to amend laws relating to equalization of, 130

(see railroad companies.)

Associated Presbyterian church of North America, notice of
 bill to incorporate the widows' and orphans' fund
 of the, 111
 bill, 115, 118, 215, 241, 287, 295, 316, 317, 760

Asylums, (see Mariner's family asylum.)

(see orphan asylums.) (see aged and indigent masons.)

(see State lunatic.) (see Western lunatic asylum.)

(see Auburn.)

Hudson orphan, 348, 371

Auburn, 450

Juvenile, N. Y., 695

Athens, bill to amend R. S., in relation to courts of special
 sessions, and to regulate the police, 918, 1042

Atlantic dock company, (see East river,) petition to build
 docks, bulkheads, &c., 54

remonstrance, 378, 402

bill, 132, 781

Atlantic and Pacific Railroad Co., notice of bill to incorporate the, 31

bill for the; 37, 38, 49, 57, 87, 92, 117, 121, 122, 127, 130

137, 140, 142, 155, 193, 194, 207, 237, 472, 788, 794

828, 1092

motion to restore bill on the general orders, 101

special orders on bill, 137

memorial of H. O'Reilly, 143, 149

Attica, bill to amend act of May 2, 1837, 751, 764, 773, 803, 844

Attica and Allegany Valley Railroad Co., petition for change
 of location, 524

bill, 543, 601, 718, 841

bill for railroad companies to take stock in the, 739, 777

782, 804, 840, 881, 886, 916, 945, 954, 971, 1003, 1067

1079

Attorney general, see resolution by Mr. Pierce in relation
 to reducing value of real estate by supervisors, 126, 180

Attorney general, communication from the, in relation to clerical force in his office,	390
to advance a certain suit pending against the people,	211
to discharge a judgment against the Potsdam and Watertown railroad,	212
Attorney of the N. Y. corporation, (see New York.)	
Atwood, Henry C., petition of, relative to suit pending against State, in which Trinity church is a party,	450, 469, 580
Auburn, bill to establish an asylum at, 450, 465, 583, 6 3,	218
Auburn Female Seminary, (see Auburn Female University)	
Auburn Female University, bill to amend act passed Jan'y. 29, 1853, 451, 560, 664, 859, 866, 867, 950, 1019, 1059,	1113
Auburn Savings Bank, annual report of the,	1103
Auburn Woolen Co., petition to facilitate the dissolution of the,	59
bill,	393
Auctions, (see mock auctions)	454
bill to repeal act of May 8, 1847,	
Auditor of the canal department, resolution that the, report amount paid since Jan. 1, 1852, on canal claims,	533, 565, 712
that the, report tolls received on Champlain canal, on goods from the British provinces in North America, and tolls on bonded goods for 1851 and 1852,	153
communication from the, in relation to Champlain canal,	160
report of the, reasons why certain claims paid from the treasury was not charged to the canal debt sinking fund,	196
report of the, of complaint of charges against canal superintendents the past year,	301
bill to elect the, by the people,	345, 390
communication from the,	391, 876, 881
Aurora Academy, petition for an appropriation,	914
Au Sable river, resolution to take papers from files,	394
bill, improvement of the, ...	70

B.

Babcock, John H., resolution in relation to claim of,	44
reported against,	201
petition and paper returned to petitioner,	259
Backus, Levi S., notice of bill to furnish his paper to educate deaf mutes,	513, 566, 642, 705, 855
Baker, Henry, deceased, resolution relating to claim of, ...	44
bill,	62, 68, 69, 132, 191, 200, 241, 250
Baldwin, Wm., resolution by Mr. Conger, to pay,	139
Banks, (see savings banks.)	

Banks, Union Bank of Troy,	100, 104, 132, 232, 262, 275, 286, 289
	291, 484, 499
Farmers and Mechanics', of Genesee,	119, 124, 135, 287
	289, 292, 484, 498
Palmyra,	290, 297, 301, 325, 319, 618, 645
	(see incorporated banks.)
	(see Westchester Co. Savings Bank.)
Banking, (see business of banking.)	
	(see basis of circulating notes)
Bank of America, annual report of the,	55
Bank notes, (see foreign.)	
Banks in the city of New-York, petition to repeal law re-	
quiring weekly statements,	574
Banks where charters have expired, act to prevent the re-	
issue of circulating notes of,	1094
Bank Department, resolution (concurrent) to appoint a com-	
mittee to examine accounts of the, 483, 573, 608, 667, 753, 762	
	1081, 1101
Banking law, (see general banking law,) (see unauthorised	
banking.)	
Bank of savings, N. Y., annual report,	214
Bank of Whitehall, unclaimed dividends in the,	72
Baptist Union for ministerial education, (see N. Y., Bap-	
tist,) bill,	858
Barber, Wm. T., act relative to lands held in trust by Wm.	
H. Leggett,	501, 522, 557, 805
Baron, Elizabeth bill to release interest of the State in cer-	
tain lands to,	841, 947, 1026
Barre, bill relating to highways in,	786, 796, 797, 940
Barnes, Charles G., petition for relief,	16
bill,	219, 479, 520, 512, 785
Barnhart, Wm. G., & Jacob, bill for the payment to, 502, 502,	
	745, 785, 821
Barton, Theodore D. bill authorising commissioners of the	
Land office, to examine and determine claim of,	463, 474
Basins and slips, Buffalo, (see Buffalo.)	
Basis of circulating notes for banking purposes, bill to en-	
large the,	258, 296
Batavia village, petition to amend charter,	150
bill,	187, 252, 300, 358, 452, 566
Bathing and Washing association, (see Peoples' bathing and	
washing association)	
Beaver river, bill declaring a public highway,	936, 949, 1109
Bear Trap and Mud creek, bill to drain lands along, 880, 888	
	1915
Beck, T. Romeyn, (see Van Cortlandt Piere.)	
Belfast, Albany, dam to be erected at,	45
Bell & Bugardus, contractors, petition of,	445

Benevolent, charitable and missionary societies; (see Natural History,) bill to amend chap. 319, of Laws 1848, 197,	366
	475, 541, 940
Better security of persons crossing ferries at New-York, bill for the,.....	328, 363
Better supervision and regulation of railroads, bill for the,	38
84, 188, 191, 206, 209, 230, 383, 391, 392, 400, 416	
Big Chazy river, bill for improvement of,	534, 595, 694, 735
Bills, motions, &c., relative to Senate bill, No. 58,	251
No. 51,	252
third reading of, (see resolutions.)	
Binghamton, petition for bridge over Susquehanna, at, 269, 277	
	285, 289, 291
(see Rockbottom bridge co.)	
bridge at, over Chenango river,.....	325, 372, 419
bill to amend and consolidate acts relating to village of,	532, 631, 869, 943
Binghamton church, bill to change name of,.....	397, 442
Birch, Marquis De La Fayette, bill to change name, 749, 557, 766	
Birds in public cemeteries, bill to protect, 817, 825, 845, 1065	
	1106, 1113
Births, marriages, and deaths, petition for repeal of the act requiring a registry of,	62
notice of bill to repeal act,	114
bill,	129, 197, 289, 297, 303, 357
Assembly bill,.....	387, 411, 443
Black creek or Crosier swamp in Ulster co., bill to provide for the draining of,	335, 383, 537, 561, 621, 734
Blackwell's Island, petition to raise \$75,000 for the erection of the south wing of the work house on,....	510
bill,.....	556, 567, 618, 644
Black river, (see Carthage.)	
bill declaring a public highway,	533, 563, 804, 829
canal, resolution by Mr. Cooley,	32, 43, 51, 119
Black Rock, petition for sale of lot in,	685
Blacksmith, John, bill for relief of heirs of,	1041
Blind, (see institution for the blind.)	
petition of C. Mahoney, for aid in furnishing music to the,	742
Bloomer, C. A. and F. C., bill to raise money for, by the town of Phelps, Ontario co.,	348, 362
Bloomington, appointment of commissioner of deeds, 997, 1025	
Board of town officers, Richmondville, bill from Ass'bly, 141, 144	
Bogart, W. H., report of, in relation to digest of claims, ..	33
resolution by Mr. Jones in relation to continuing digest,	338
Bonds and mortgages, taxation of,	222
Books taken by Senators from the Senate library, communication from the sergeant-at-arms in relation to,	103

Boston and Troy railroad, remonstrance against tolls on its freight,.....	319
Bostwick, Stephen T., bill to legalize the official acts of, 500,	560
	707
Boundaries of certain towns in Essex co., bill to define the,	320
	340, 367, 373, 409, 772
Bowery savings bank, annual report of,.....	123
Bowery and Sixth avenue, N. Y., petition for opening, and sixth avenue,	393
report of committee,.....	643
(see Sixth avenue.)	
Boyd, Catharine W., bill to release interest of State in cer- tain escheated lands,.....	257, 288, 327, 341, 356, 360, 781
Branch tracks, railroad corporations to construct, .	272, 388, 327
	349, 355, 467
Brenon, Eliza R., bill to release interest of the State to, 335,	404
	604, 621
Brewster, Loring, bill to change name,	968, 1042
Bribery, bill to amend existing laws in relation to, ...	941, 944
at elections, concurrent resolutions from the Assem- bly was read a third time,	623
of public officers, notice of bill to amend laws rela- tive to,	104
bill,.....	114, 132, 324, 356, 428, 513, 623
Bridges, canal commissioners to build bridges in Buffalo, 39, 50	
	56, 65, 78, 82, 91, 197, 198, 326, 341, 357, 358, 376, 427
	500, 509, 597, 699, 750, 941
across the branch of the Hudson river, in Warren co.,	41, 70, 152, 374, 376, 422, 468
Triangle, in Broome co., 50, 55, 72, 174, 198, 206, 426, 432	
at Catskill, 56, 61, 77, 99, 109, 127, 128, 143, 149, 157, 166	
	167, 197, 200, 208, 209, 210, 212, 243, 259, 265, 277, 280
Niagara Falls, international, 67, 118, 157, 264, 826, 841	
	849, 908, 1112
at Canajoharie,	109, 123, 244, 478, 568
over the Hudson at Albany,	170, 189
State drain at Lysander,	214, 434, 590
over Roeliff Johnson's kill,.....	246, 309, 343
see Livingston, Clermont and Germantown, 253, 258, 263	
	278, 409, 469, 499
Binghamton, (see Rockbottom bridge co.)	
Rockbottom bridge co., (see Binghamton,) 277, 285, 289	
	291, 426, 436, 451, 476
at Spraker's basin,	296
across Chenango river at Binghamton, 225, 372, 419, 723	
Tioughnioga, (see Triangle.)	
Maspeth avenue toll bridge,	330, 370, 574
across Neversink river,.....	320
Seneca,	234, 462, 593

Bridges, over Flushing and Newtown creeks,	335, 399, 492, 596
	731, 749, 751, 848, 916, 933
across the Conjacketies creek, ...	863, 864, 857, 858, 872
Bushwick and Newtown,	375, 383, 440, 984
Franklin bridge co.,	375, 383, 576, 625
across Tonawanda creek, .	387, 473, 800, 846, 852, 1093
at Cherryvalley,	387
at Caughdenoy, ..	388, 434, 786, 802, 843
at Tonawanda village,	389, 620, 802, 844
at Phoenix,	397, 716, 726, 803, 843
at Hinmansville,	398, 417, 432, 454, 589
in town of Fayette,	399, 408, 537, 564, 629
suspension, (see Niagara falls international,)	403
Syracuse, bridges over canal, 448, 496, 527, 597, 700, 750	
over Clyde river, ..	449, 463, 476, 496, 588, 814, 824, 914
at Carthage, ...	450, 582, 583, 587, 588
Genesee suspension,	485, 557, 720, 732, 750
Chemung valley bridge co.,	486, 511, 538, 562, 960
at Stuyvesant falls,	532, 586
at Alloway in town of Lyons,	535, 691, 743, 799, 843
across Allen's creek in village of LeRoy, ..	658, 679, 680
at West Troy,	620, 632, 646
at Middleport,	723
at Pittsford,	750, 776
Newtown bridge and turnpike road co.,	754, 848
at Cohoes,	773, 777, 779, 852
at Higginsville,	865
across Canadaigua outlet,	868, 886, 904
across Niagara river at Niagara falls village,	809
at Oak Orchard,	831, 888
Niagara river,	900
Elmira and Southport co,	931, 971, 1006
Bridge companies, bill to amend act of April 11, 1848, .28,	129
	473, 530
Bristol Center and South Bristol plank road company. bill	
to complete and keep in repair the, ...	404, 410, 424, 440, 772
Bristol, Ontario co., pet for highway labor on plank roads in,	402
Broadway railroad association, N. Y., remonstrance of Peter Sharp, President of,	83
resolution to appoint a committee to investigate charges,	91, 119, 140
petition for an investigation of certain charges,	109
resolution, by Mr. Beckman, respecting investigating committee,	140
resolution, by Mr. Babcock, discharging select committee,	142, 155
Broadway savings bank, N. Y., bill to amend act of incorporation,	463, 511, 710

Bragdon, Henry S., petition for relief,	178
bill,	219, 478, 520, 550, 786
Brooklyn, bill in relation to terms of the city court of, 46, 63, 557	568, 761
savings bank at—to purchase stock,	54
annual report,	136
female academy at, to dispose of real estate, 119, 123, 132	140, 142, 144, 148, 160
institute, annual report,	131, 197
lands in, to be ceded to the United States, 148, 256, 264	266, 822, 841, 817
South Brooklyn savings bank,	150
amendment to fire law,	233, 744, 749, 777, 782
park on Brooklyn Heights,	233, 241
petition of Sarah Maclin, for a release of certain	lands,
petition in relation to penitentiary and sheriff's fees	in Kings co., (see penitentiary)
notice of bill to supply, with water,	46
bill to supply the city of, with water, 50, 297, 722, 746	750
(see Division avenue railroad.)	
(see Division avenue.)	
streets and parks in,	301, 326, 339, 353
Montague park association,	461, 483
petitions for lien law in,	415, 513, 528, 662, 680
remonstrance against lien law,	494
grade lines in,	494
to open certain streets,	500, 598, 697, 917
to authorise a tax for police expenses in 8th and 9th	wards in,
bill to alter commissioners' map of, 531, 598, 767, 844	500, 598, 701
bill to fix permanent lines of piers,	531, 598, 844
bill to amend and revise the several acts relating to	the city of,
remonstrance against amendments of city charter, ..	532, 796
streets in,	557
fire department, act relative to the,	572
bill to consolidate the corporations of, and Williams-	burgh,
Lefferts park,	904, 931, 1004
Freeman's Hall association,	201, 983, 956, 1019, 1041
Armory for military,	985, 1017, 1040
Brooklyn, Flatbush and Canarsie plank road company, As-	sembly bill, (to collect tolls,) ..
Brooklyn savings bank, petition to loan on county bonds of	Kings co.,
	801

Brockport savings bank, petition for a charter for,.....	233
bill,.... ..	300, 604, 621, 1018, 1058
Brown, Constant, petition of, claim,.....	102
report of committee,.....	158
papers recommitted,.....	171
bill,.....	215, 477, 548, 785
Brown, Harvey, petition of, for a law in relation to collec- tion of assessments of highway labor and taxes,	825
Brown, Marcus, & C., resolution relative to papers on file, in relation to claim of,	87, 786
communication from Secretary of State,	123
Buck, Oliver P., bill to change his name,.....	1057, 1107
Buffalo, canal commissioners to build bridges at, bill, 39, 50, 56 65, 78, 82, 91, 197, 198, 326, 341, 357, 358, 376, 427 500, 509, 597, 699, 750, 941	
bill to amend act of 1832 and 1843, incorporating the city of,	72, 81, 175, 183, 1069, 1099
bill to revise and amend charter, and to enlarge its boundaries, 449, 455, 501, 586, 599, 624, 645, 776 1063, 1069	
German Mission church in, 166, 179, 290, 297, 303, 315 662, 680	
bill to extend time for collecting taxes in 2d ward, 231, 240	
petition for a bridge at Genesee-street,.....	509
dispensary at,	268, 346
to aid in constructing the Buffalo and Pittsburgh rail- road,.. 296, 302, 374, 559, 562, 566, 615, 679, 765, 778	
tax for police expenses,	598
(see Brooklyn.)	
bill concerning the mayor of,....	300, 325, 346, 402, 471
recorder's court in,	311, 329, 390, 435, 774
Erle basin,.....	393
commissioners' map, to alter,.....	598
bill reappropriating certain moneys for the construc- tion of basins and slips at,	619
Buffalo and Batavia Plank Road Co., petition for highway work for the benefit of said road,.....	62, 91, 118, 285
(see under plank roads.)	
Buffalo and N. Y. City Railroad Co., bill to construct freight track,	259, 580, 935, 950, 963
bill authorising to construct branch tracks,	535, 963
bill to construct a branch from Burns to Danville,..	935
Buffalo and Pittsburgh Railroad Co., bill to terminate road on the northerly line of Pennsylvania, 761, 787, 797, 941	
Buffalo Trust Co., annual report of the,.....	103
bill to amend act of incorporation, 152, 193, 290, 297, 304 306, 484, 519	
Building associations, notice of bill to amend act of April 19, 1851,	681, 683, 695

Building Association Fire Ins. Co., bill for concurrence,	129, 144 252, 256, 266
Building purposes, notice of bill to authorise formation of corporations for,	50
bill,	61, 63, 81, 149, 173, 178, 234, 247, 469, 499
Building Mutual Loan and Accumulating Fund Asso., bill to amend act in relation to,	203, 730, 736, 816, 857, 872
Burns, Thomas, bill for relief of,	213, 226, 795
Burton, Frederick, and M. Sophrona, petition for canal damages,	131
bill,	219, 479, 520, 551
Burying grounds, (see medical inquiry.)	
in Osceola, bill in relation to,	506, 610
Bushnell, Orsamus, and others, petition of, to purchase certain real estate,	429
Bushwick, petition for extension of time to plot town of, (streets roads and avenues in,)	166
bill, permanent plan for streets, &c., 322, 336, 453, 539 782, 1094, 1114	
authority to sell lands for taxes in,	192
free schools in,	454, 512, 540, 780
(see Union cemetery.)	
Bushwick and Newtown Bridge Co., bill to amend act of incorporation,	375, 383, 440, 984
remonstrance,	999
Business of banking, notice of bill to amend act in relation to the,	227
bill, 456, 464, 497, 570, 596, 602, 629, 632, 672, 677, 731 736 777, 779	
Bussing, E. K., bill to authorise executors of, to become the purchasers of his real estate,	511, 613, 940

C.

Caldwell, G. and J. W., petition for canal damages,	131
report of committee against petition,	198
Call of the roll, motions for,	211, 384
Call of the Senate, motions,	406, 729, 927, 1047
Campbell, Freeman, bill to build a dam,	1059, 1062
Camillus and Marcellus plank road, bill, half toll gate, 447, 492 591	
Canajoharie, resolution in relation to claims of sundry persons of, for relief,	37
bill for appraisement of canal damages by highway commissioners,	617, 700, 796
bridge at,	109, 123, 244, 478, 568
Canals, resolution of Mr. Cooley,	32, 43, 51, 119
Cayuga and Seneca canal enlargement,	39, 118
(see enlargement of the.)	

- Canal enlargement of, see communication by Mr. Vanderbilt,** in relation to an amendment of the Constitution, relative to the enlargement of the, 195, 200, 285, 286, 287, 294, 302, 304, 317, 329, 333, 343, 345, 367, 377, 393, 395, 405, 410, 411, 412, 415, 419, 456, 471, 480, 486, 492, 493, 499, 502, 503, 750, 751, 752, 753, 755, 758, 771
- select committee on, recommended in Mr. Vanderbilt's communication, 195, 200, 285, 286, 287, 294, 302, 304, 317, 329, 338, 343, 345, 367, 377, 393, 395, 405, 410, 411, 412, 415, 419, 456, 471, 480, 486, 492, 493, 499, 502, 503, 750, 751, 842
- resolutions by Mr. Bristol to amend the Constitution in relation to completion of the,..... 293, 750
- resolution by Mr. Vanderbilt, that the State engineer and surveyor report probable cost of completing the enlargement of, 287, 349
- message from the governor for appropriations for the enlargement of, 486
- Senator Conger's bill for enlargement of the,..... 503
- bill making appropriations for the canals,..... 660
(see motion by Mr. Pierce.)
- bill appropriating moneys to the canal fund, to be applied to the Erie canal enlargement, Black river, &c., 663, 675, 676, 678, 680, 693, 725
- Sodus canal enlargement, 719
- bill to complete the, 801
(see report of conference committee and concurrent resolutions.)
(see Mr. Taber.)
(see claims against the State.)
- bill in relation to the enlargement of the Erie and Oswego, and completion of the Black river and Genesee valley, 875, 881, 884, 888, 909, 966
- disbursements on the, (see disbursements)
- Canal appraisers, annual report of, 97**
claims to be examined, (see name of claimant.)
- Canal boats, petition to prohibit the running of, on the Sabbath, 30**
- Canal board, petition, &c., of J. Hinds, for the, to audit certain expenses, 110, 270**
to hear claim of Edward Murry, 96, 198
to inform the Senate of any canal superintendents against whom charges have been preferred, 207
- resolutions by Mr. Wright, relative to complaint made to canal board against canal supts., 345
- Canal commissioners, (see under titles of acts and names of persons claiming damages, &c.)**

- Canal commissioners, to build a bridge or bridges across the Maine and Hamburg-street canal, and across the Clark and Skinner canal, Buffalo, 39, 50, 56, 65, 78
91, 197, 198, 341, 351, 358, 376
- bill noticed, to enlarge the locks on the Champlain canal, 56, 61
- petitions, 66, 76
- resolution by Mr. Wright, that the, report the am't of tolls and tonnage received on the Champlain canal, &c., 105, 119
- to build a bridge at Canajoharie, 109, 123, 244
- report of the, in relation to tolls, tonnage, &c., on the Champlain canal, 129
- printing of report of, by Assembly, ... 136
- to hear claim of E. Sears and H. Adams, 151
- to build a bridge at Spraker's basin, 296
- annual report of, to be printed extra, 415, 466, 468
- report of H. Fitzhugh to be printed, 415, 466, 468
- claims to be heard by the board, (see under name of persons claiming damages.)
- report of Mr. Mather, in relation to the business of the Champlain canal, 819, 823
(see John C. Mather.)
- Canal debt, resolution of Mr. McMurray, referring governor's message relating to the, to the finance com., 52
(see resolutions by Mr. Bristol.)
- Canal debts and other purposes, bill appropriating money to the payment of, 662, 675, 694, 881, 882, 884, 951, 972, 974
978, 982, 983, 987, 994, 998, 1016, 1091
- Canal department, (see auditor.)
- Canal fund, see commissioners of the, notice of bill to provide for certain expenses, chargeable upon the, ... 31
- bill, 39, 77, 175, 198, 205, 220, 224, 228, 348, 369
- bill appropriating money to the, to be applied to the Erie canal enlargement, Black river, Genesee valley, &c., 663, 675, 676, 678, 680, 693, 882, 884, 951, 972
725, 974, 978, 979, 982, 983, 987, 998, 1001, 1016, 1059
- Canal revenue certificates, bill appropriating money for payment of the, 663, 675, 676
- resolution by Mr. Vanderbelt, instructing the canal com. to bring in a bill to provide for the payment of the interest, 694
- bill, 725, 869, 881, 882, 884, 885, 886, 899, 987, 992, 993
1003
- Canal superintendents, resolution for canal board to report names of, who have had charges preferred against them during the past year, &c., ... 207
- see resolution by Mr. Wright, on same subject, .. 345, 390

Canal superintendents, bill requiring the, to publish monthly abstracts of disbursements,	374, 379, 395
Canandaigua outlet, bill for a bridge across, ..	843, 868, 887, 904
village, resolution to refer papers relating to the laying out of a highway in,	41
petition for laying out street in,	45, 49
bill,	56, 80, 88, 94, 345, 941
bill noticed to amend act authorizing the laying out and opening of a public highway in,	686
bill introduced,	720, 726, 736, 799
bill to borrow money for contingent fund, ..	956, 970, 977 984, 1092
Carlton, bill for a plank road in, and to incorporate the Frewsburgh plank road co.,	880, 890
Carthage, road from Clinton to, (see Clinton co.)	
bill for a bridge at,	459, 582, 583, 587, 588
charter election in,	813, 824, 912
Carroll, (town of,) bill confirming official acts of a justice of the peace in,	183
Carpentering Senate chamber, notice of bill to provide for, ..	86
bill,	93, 99, 106, 111, 211, 214
(see Senate chamber,) (see expenses of the Senate chamber.)	
Castleton, petition for a ferry at,	31
bill,	84, 176, 199, 205, 484, 498
school district property to be mortgaged, ..	208, 476, 539, 940
Castleton, Richmond co., petition for trustees, dist. No. 3, to borrow money,	208
bill,	476
Castleton and Southfield, act to establish free schools in dist. No. 1,	981, 995
Catholic, (see Roman catholic.)	
school in Rome village, petition for portion of school fund,	208, 641
Catskill, (see Greene Co.,) remonstrance of inhabitants of, ..	128
bridge at, ..	56, 61, 77, 99, 109, 127, 149, 157, 166, 167, 197 200, 209, 210, 212, 243, 265, 277, 280
remonstrance,	128, 143, 208
Catskill and Oak Hill ferry, notice of bill to amend act, ..	98
Cattaraugus and Allegany reservations, bill for Indian schools upon the,	396, 411
Cattaraugus, Chautauque and Erie, new county from, ..	129
petition against a new county,	261, 263, 268
Cattaraugus co. clerk's office, petition for a law to change location of the,	62
bill,	72, 88, 94, 377, 384
Caughdenoy, bill for bridge across Oneida river at, ..	388, 434, 786 802, 843
Cazenovia and Chittenango plank road, bill to convert road into a turnpike,	447, 465, 591

- Cayuga academy, bill in relation to the, 884, 870, 481, 454, 595
669, 699
- Cayuga creek, bill to amend several acts relating to the, 330, 383
523
- Cayuga co., dissolution of manufacturing companies, act
to facilitate in, (see dissolution of manufacturing
corporations.)
- preservation of fish, petition,..... 811
- Cayuga Indians, annuities to, bill from Assembly, 214, 226, 268
271, 278, 314, 475, 511, 571, 679
- communication from Peter Wilson, 319
- fund for the benefit of the, 787
- Cayuga marshes, petitions for draining the, 35, 58, 65, 72, 76, 84
91, 98, 102, 109, 117, 122, 127, 131, 134, 143, 167, 177
192, 196, 218, 269
- resolution to appoint a select committee on draining
 the, 58
- report of select committee, and notice of bill,..... 202
- report of committee ordered printed, 202
- bill,..... 244, 342, 458, 475, 513, 545, 618, 644
- Cayuga & Seneca canal, notice of bill to provide for the en-
largement of the, 39
- petition for improving the, 118, 150, 156, 157, 173, 187
217
- bill in relation to the, 310
- Cedarville & Schuyler's Lake plank road company, bill to
release from construction, of part of their road, 867, 922, 962
- Cemeteries, Greenwood, 129, 148, 158, 225, 411, 425, 772
- Mt. Olivet, 137, 147
 (see rural cemetery associations.)
- Union cemetery, Bushwick, 208, 257, 264, 271, 285, 303
315, 618, 645
- Shearith Israel, exempt from taxes, 203, 258, 271, 327
363, 554, 796
 (see medical enquiry.)
- Geddes, 394, 399, 431, 455, 478, 643, 772
- See Hyde park, 533, 559
- birds to be protected, (see birds.)
- Evergreen, Pine Plains, 865, 869, 889, 899, 908
- East McDonough, 936
- Central park, N. Y., (see park.)
- Central Square and Pine plank road company, bill to change
terminus of road, 918, 932, 1009
- Certain expenses of government, (supply bill.)
- bill from Assembly, 645, 656, 666, 678, 679, 807, 810, 824
848, 866, 874, 920, 938, 945, 951, 954, 966, 971, 974
978, 979, 982, 983, 987, 994, 996, 1000, 1001, 1021
1032, 1043, 1049, 1069, 1074, 1076, 1082

Champlain canal, (see Canal Commissioners.)

looks on the, 56, 134, 220, 295, 304, 332, 432, 575

Auditor to report tolls received on the, 160

Commissioners to report amount of business on the, 685

report of Canal Commissioners about the business of
the, 819, 823resolution requesting the Canal Commissioners to re-
port amount of tolls received on the, and also ton-
nage, 105, 110, 129

Auditor to report in relation to tolls on the, 160, 196

Champlin, Primus, bill for relief of the legatees of, 743

Chancery, bill for enrolment of decrees of the late court of,
..... 367, 373, 417, 780

Chapin, Mallory & Co., and others, (see excursion.)

Chautauque mutual insurance company, petition, 128

adverse report of committee, 187

Chazy river, (see Big Chazy.)

Chemung narrows, bill from Assembly, in relation to pub-
lic highway in, 780, 802, 816, 817Chemung Valley bridge company, Assembly bill to alter
plan of bridge, 485, 511, 538, 562, 960Chenango river, petition for a bridge across the, at Bing-
hamton, 325, 372Cherry Valley, Assembly bill to amend act vesting certain
powers in freeholders and inhabitants of, 335, 363, 367
..... 383, 765, 776

bill for bridge in town, 387

free schools in, 453, 465, 473, 565, 589

remonstrance, 473

(see N. Y. Central insurance company.)

Chester and Johnsburgh, (see Warren co.)

Children, (see idle and truant children.)

Church, Sanford E., President, resolution of thanks to, 1112

communication from, 1115

Churchville, bill to make, a separate road district, 449, 492

bill to confirm election of officers in, 450, 464, 709, 710
..... 750

Circulating notes, (see basis of circulating notes.)

Circulating notes of banks, petition to prevent the re-issue
of the, 747

Cities, (see contracting debts in cities.)

City courts in Brooklyn, notice of bill in relation to, 46
bill, 63, 761

Claims, digest of, 33

committee on, see resolution of Mr. Babcock, in re-
lation to investigating and deciding upon claims, 70, 74bill to amend R. S. in relation to proceedings to com-
pel the determination of, 394, 1041, 1088

Claims, against the State, bill to allow, for expenditures on account of the Erie canal,	849
Clark, Joseph, petition for the pardon of,	167
Clark, Richard P. and others, petition for relief,	144
Clark, Wm. D., petition of for claim,	102
bill,	219, 478, 513, 550, 786
Clay medal, communication from the citizens of N. Y., presenting to the State of New-York, a medal, commemorative of the public services of the late Mr. Clay,	189
resolution by Mr. Beekman,	189
resolution by Mr. Babcock,	189
Clark, Merrit and others, petition	144
report of committee,	642
Clergymen, (see property.)	
to be invited to open settings of the Senate with prayer,	4
(see Episcopal church.)	
Clerk of the Senate, to provide the Lt. Governor, and each member and officer of the Senate with newspapers, and pay postage on same, and also on Doc.,	3, 4
to invite clergymen, to open daily settings of the Senate with prayer,	4
to purchase ten copies of the 4th edition of the R. S. for the Senate library,	40
resolution of Mr. Conger, that the, procure copies of the journal printed from time to time, in signatures, as may be necessary to place on the files of each member, &c.,	61
to procure and furnish each senator, officer, messenger and reporter, with pen-knives, resolution by Mr. Ward,	138
to return to Medad Pomeroy, a map, introduced into the Senate, on a claim of last session,	185
to procure diagrams of the Senate,	207
to procure copies of the Redbook, for the reporters,	268
to purchase general index to the laws of the State,	556
to continue to furnish senators and officers with newspapers, and pay postage on newspapers and doc.'s sent or received by senators or officers, during the present session, (extra)	658
Clerks, and other officers of the two Houses of the Legislature, notice of bill to increase pay of,	46
Clerks and messengers, in tax commissioners' office, N. Y., bill to provide for the appointment of,	987
Clerks, and clerk hire in public offices, report of State Treasurer in answer to resolution of the Senate in 1852, in relation to,	55

Clerks, and clerk hire in public offices, report of State Engineer and Surveyor, in answer to resolution of 6th April, 1852,.....	92
report of Comptroller in answer to resolution of 16th April, 1852,.....	222
report of Adjutant General, relative to, in his office,	232
report of Secretary of State,	310
report of Attorney General, in relation to, in his office,.....	389
Clerk hire in Comptroller's office, bill in reference to, 1099,	1112
Clerk of Kings co., to record an assignment of a certain mortgage,	187, 147, 202, 326, 386, 519
Clerk's office, Cattaraugus co., petition to change location of the,	62
bill,	72, 83, 94, 377, 384
Clerk of Wyoming co., petition to make the, a salary office, bill,	58
bill,	285, 384, 400, 425, 467
Clinton village, Assembly bill to amend acts of incorporation,	397, 621, 914
Clinton and Essex, Assembly bill to sell or abandon plank roads in,	1063
Clinton Hall association, N. Y., notice of bill to amend act of incorporation,	132
bill,	159, 168, 228, 234, 247, 258, 262
Clinton and Essex counties, plank roads, bill from Assembly in relation to,	245, 248
Clinton co., Assembly bill for amending act laying out a road from, to Carthage, Jefferson county, 377, 383, 440, 951	978, 1003
Clogher, Peter, Assembly bill for damages,	572, 1042
Clyde river, Assembly bill to raise money in town of Galen, Wayne co., to build a bridge over, 449, 463, 476	496, 588
Assembly bill to levy a tax, on town of Lyons, for a bridge over the,	814, 824, 914
Clyde & Rose plank road, Assembly bill, to abandon part of road,	447, 565, 590
Clyde and Sodus Bay railroad, bill for railroad companies to take stock of the,	744, 924, 1069
Coats, Andrew, resolution to take papers from files, and refer,	41
bill to hold real estate,	50, 64, 64
Cobb, A. R., petition of, for canal damages,	742
Cede, (see practice and pleadings.)	
Code of procedure, notice of bill to amend the 307th sec.,	686
Codification of militia law, (see commissioners to codify.)	
Collection of taxes in Fulton, Schoharie co.,	109
Cohoes, bridge at,	773, 777, 779, 852

Cold Spring, petition to vest in trustees, the powers of the commissioners of excise,.....	76
to amend act, (bills),.....	97, 643
remonstrance against altering charter,.....	150, 232
Collection of taxes in Rome, Oneida co.,.....	217, 218, 237
in Pomfret, Chautauque co.,.....	218, 237, 262
Northfield, Richmond co.,.....	240
Hempstead, Queens co.,.....	240, 249
in the several towns of this State, (new bill),.....	242, 244
bill from Assembly, to extend time in 2nd ward, Buffalo, several wards Syracuse, the several towns in Albany co., Stephentown, Rensselaer co., and Westfield, in Richmond co., and Greenbush, Scho-dack, and Kingston,.....	231, 235, 236, 240
in Hempstead, Queens co.,.....	240
in Orangeville, Wyoming co., notice of bill to ex-tend time for,.....	86, 93
collection of taxes, (see under taxes.)	
Collection of debts against corporations, to facilitate the,.....	276, 278
	282, 286
Colleges, agricultural and experimental farm,.....	66
Genesee, appropriation to,.....	109, 119
St. John's Fordham,.....	217
Hamilton,.....	225
Union,.....	261, 338, 344
New-York Central,.....	918, 932, 1063, 1100
De Veaux,.....	397, 416, 432, 454, 677
Peoples'.....	451, 498, 610
N. Y. State agricultural,.....	464, 668
Colleges and academies, Assembly bill relative to the in-corporation of,.....	398, 416, 597, 627
Colonial History, bill noticed to amend or repeal law of 1849, in relation to publishing the,.....	56
bill, to repeal law relating to the publishing the,.....	61, 109
	342
resolution, by Mr. Pierce, in relation to expenses of the,.....	68
report of Comptroller, relating to expenses,.....	136
resolution, by Mr. Pierce, for Secretary of State to report about publishing under the contract,.....	139
Combe, Eliza W., (see Jane Eliza De Klyn.)	
Commercial insurance company, N. Y., Assembly bill rela-tive to the,.....	448, 466, 673, 809, 812, 827
Common Council of New-York, remonstrance in relation to reducing the amount asked for, to \$125,000,.....	931
Common lands in Hempstead, remonstrance against sale of,.....	213
Common schools, in Warsaw,.....	159, 170, 172
instruction of common school teachers,.....	86, 93, 197

- Common schools, separation of office of State superintendent
 of, from secretary of State, 172
 town superintendents of, 148, 153, 197, 324, 391, 434, 476
 in Oswego, 95, 118, 389, 398, 337
 in Albany, 844
 bill to amend R. S., in relation to, 814, 821
 Albany, 884, 886, 1009
- Common schools in N. Y., (see public Schools.)
- Common school teachers, to provide for the instruction of, 86, 98
 bill, 197, 324, 383, 400, 477
- Commissioners to codify, amend and alter the militia law,
 resolutions, concurrent, by Mr. Kirby, to appoint, 87, 139, 438
 (see militia.) 453
- Commissioners of the canal fund, resolution by Mr. Wil-
 liams, that the commissioners report condition of the mo-
 ney received for sale of canal revenue certificates, 886
- Commissioners of deeds in Huntington, 446
 (see Saratoga Springs.)
- Commissioners of deeds and notaries public in N. Y., notice
 of bill relating to, 259
 bill, 271
 additional number of commissioners, 815, 887
- Commissioners of emigration, notice of bill to amend the
 acts relating to powers and duties of the, 73
 bill, 78, 79, 244, 290, 297, 308, 312, 317, 322, 338, 516
 665
 communication from the, 516, 730
 petitions, 166
 remonstrance, 344
 annual report, 179
 resolution to print 250 copies of report for commis-
 sioners, 188, 193
- Commissioners to examine hospitals in N. Y., (see hospitals.)
- Commissioners of highways in Stockport, 328, 339, 411, 499
 in Wilna, 485, 510
 in Triangle, 59, 55, 72, 174
 in Steekport, 411, 421, 484
 in Richmond, (see Richmond.)
- Commissioners of the land office, resolution by Mr. Bristol,
 that the, report what proceedings have been had
 in regard to purchasing a site for the marine hos-
 pital at Sandy Hook, 189
 report of the, in answer to a resolution of the Senate
 in relation to the site for a marine hospital, 369
 (see Theodore D. Barton.)
 resolution in relation to claim of David Jones, 900, 950
 1076
- Commissioners' map, Brooklyn, (see Brooklyn.)
- Committees, select committees and report of select com.
 (see under title of bill or subject.)

Committees, select committee on amendment of Constitu-	
tion relative to canals, appointed under and by	
communication of Mr. Vanderbilt to the Senate, 195, 200	
285, 286, 287, 294, 302, 304, 317, 329, 333, 343, 345	
367, 377, 393, 395, 405, 410, 411, 412, 415, 419, 456	
471, 480, 486, 492, 493, 499, 502, 503, 750, 751, 753	
753, 755, 758, 776, 837, 842	
select committee of eight, to which shall be referred	
the general orders, &c., also motions to refer bills,	
&c., 279, 282, 289, 290, 301, 326, 365, 496, 512, 536	
571, 603	
to investigate the affairs of Union college,.....	408
to examine accounts of treasurer and of the bank de-	
partment, 483, 573, 608, 667, 753, 762, 1101	
conference committee on resolutions to amend Con-	
stitution,..... 753, 755, 758, 771, 837, 842	
to wait on the governor and inform him that the Se-	
nate was ready for business, 3	
to wait upon the Assembly and inform the House	
that the Senate was ready for business, 3	
on rules of the Senate, 31, 36	
standing committees of the Senate,..... 33	
committee to revise rules of Senate,..... 36, 51	
on State prisons, to inquire into the propriety of pro-	
viding by law for appropriating part of the earn-	
ings of convicts in State prisons, 41	
to revise, joint rules of the two Houses, 54, 59, 64, 68, 85	
appointed at last session, to inquire into the causes	
of railroad accidents, report of,..... 55	
resolution to print report, 57, 69	
resolution to refer report of committee to standing	
com. on railroads, 57	
draining Cayuga marshes,..... 58, 64, 117, 167, 202	
Assembly com. to revise joint rules, 59	
on claims, resolution of Mr. Babcock, instructing the	
committee in relation to investigating and decid-	
ing on claims, 70, 74	
com. to wait upon the Assembly, and inform that	
body that the Senate have no further business be-	
fore it, is ready to adjourn sine die, 1114	
committee to wait on the Governor and inform him	
that the Senate has no further business before it,	
and is ready to adjourn sine die, 1114	
majority report of select committee in relation to	
Jones Wood park, and Central park in New-York, 866	
878	
minority report of select committee, in relation to	
Jones Wood park and Central park in N. Y., 878	
committee on final adjournment, 994, 996	

Committees, conference committee, on bill providing for certain expenses of government,	1077
President pro tem., committees to notify the Governor and Assembly of the appointment of Hon. Wm. McMurray,	78, 79
on bill amending the several acts relating to the Commissioners of Emigration,	79, 297
resolution of Mr. Cooley, to appoint a joint select committee on that part of the Governor's message relating to the enlargement of the canals, 32, 43, 51	119
resolution, by Mr. Bartlett, to appoint a select committee, to investigate charges in relation to the Broadway railroad association,	91, 119, 142
Common council of New-York, notice of bill to amend act relative to the powers of the,	98
bill relative to the powers of the, 100, 106, 132, 215, 234	246
Compensation to constables attending Supreme court, bill brought in by Mr. Pierce, in relation to, 61, 77, 475, 198, 206	
Compensation for causing death by wrongful act, neglect, &c., bill requiring,	846, 915
Compensation of persons in the employ of the State, bill relative to the,	765, 784, 874, 876, 920, 938, 945, 994, 998
Compensation of officers and other expenses of the Senate and Assembly; bill to amend R. S., in relation to the, 69, 199	391, 498
Comptroller, resolution of Mr. Pierce, requesting the, to report certain facts in relation to the expenses attending the publishing the Colonial History,	68
see resolution of Mr. Pierce, in relation to reducing aggregate value of real estate, by supervisors, 126, 180	
report of the, in reply to a resolution in relation to expenses of the Colonial History, &c.,	136
report of the, in answer to a resolution of the Senate, in relation to clerks and their compensation in his office,	222
to report, whether the volunteers and militia called into service by the State of N. Y., during the war of 1812, '13 and '14, (known as the veteran corps in the city of N. Y.) have received from the State, in addition to their pay from the United States, so much as would equal the monthly pay of a sergeant, at \$15, a corporal or musician at \$14, and a private at \$13, &c., and as to their having received such sums as entitled to by law, (resolution by Mr. Beekman,)	251
to report the names of the counties from which the State tax payable in 1852, is due,	251

Comptroller, report of, in reply to resolution of the Senate, in relation to pay, &c., of the officers and soldiers of the war of 1812,	262
report of the, in reply to a resolution, in relation to unpaid taxes from certain counties,	262
to furnish, in tabular form, a summary of the ordinary expenses of government, since adoption of the present Constitution,	483
report of, in reply to a resolution, calling for tabular statement of expenses of Government,	514
bill to create a loan by the, to the Superintendent of Common Schools,	793
to make a loan to Watertown, Wilna and Panama, (see Watertown.)	
clerk-hire in office of the,	1099, 1112
Constitution, resolutions by Mr. Bristol, to amend the Constitution in relation to the completion of the canals, &c.	293
concurrent resolutions from the Assembly, to amend the Constitution in relation to elections, and the elective franchise,	460, 623
memorial and resolutions of Chamber of Commerce, N. Y., in relation to the proposed amendment of the,	494
petitions in favor of an amendment of the, to complete the canals,	494, 616
amendment of the Constitution, (see resolutions and canals,) (see elective franchise,) Senator Conger's bill, (see canals.)	
Mr. Cooley gave notice of a bill recommending a convention of the people to amend the, to ensure the completion of the canals,	801
(see report of conference committee and concurrent resolutions.)	
(see Tabor, Senator.)	
memorial of Wm. T. Lawrence, and others, to amend the, in relation to school moneys,	969
(Constitutional amendments, committee on, see Constitution.)	
(see committees.)	
Constitution, (amendment of the, (see electors at elections,))	
communication by Mr. Vanderbilt, in relation to amendment of the, relative to enlargement of the canals, 195, 200, 235, 286, 294, 287, 392, 304, 317, 329	
333, 343, 345, 367, 377, 393, 395, 405, 410, 411, 412	
415, 456, 471, 480, 486, 492, 493, 498, 502, 503	
750, 751, 752, 753, 755	
resolution by Mr. Taber respecting altering the, 771, 758	
842	
in relation to the constitutional oath,	272, 281

- Constitutional oath, (see resolutions by Mr. Taber,) (see Constitution.)
- Conewango creek, petition to clear and shorten, 318, 339
- Congregation Shaari Roehmin, bill to increase trustees, 956, 970
977, 1041
- Conger, Senator, bill of, for the completion of the Erie canal enlargement, (see concurrent resolutions for amendment of Constitution.)
- Conjocketies creek, in town of Black Rock, Erie co., bill for
to draw bridge over the, 363, 644, 857, 858
petitions for a bridge at, 364, 872, 941
- Contracting debts, notice of bill restricting cities in, 259
- Consolidation of Brooklyn, &c., bill, 904, 931
of railroads, (see railroads.)
- of school dist. No. 7, Sherburne, Chenango co., and
dist. No. 10, Warsaw, 85, 87, 92, 176, 198, 904
- Conveyances, bill to confirm certain, 715
- Convicts in State Prisons, (see State prison convicts.)
(see resolution of Mr. Wright, in relation to labor of.)
notice of bill in relation to the appropriations of
earnings of, (see families of State prison convicts.)
- Corey, Delevan, petition for relief, 96
bill, 219, 478, 546, 785
- Corn exchange, N. Y., bill, 137, 148, 158, 290, 308, 349, 427
- Corning, Steuben co., remonstrance against amendment of
village charter, relative to excise, 313
- Cornwall, Augustus, bill to compensate, for informing of an
eschewer, 102, 210, 234, 246, 251, 1043
- Corporations, (see railroad corporations.)
petition for repeal of law, passed March 19, 1852, to
facilitate collections of debts, against, .. 460
(see manufacturing, mining, &c.,) (see municipal.)
for building purposes, (see building association,) no-
tice of bill for the formation of, 50
bill, 61, 63, 81, 149
- Corruptions in elections, bill to prevent, 129, 167
petitions, 134
(see electors at elections.)
- Cortlandville, (see Homer.)
- County clerks, resolution by Mr. Pierce, in relation to duty
of, respecting assessments and valuations, &c., 126, 180
resolutions by Mr. Van Schoonhoven, in relation to
duty of, relative to assessments, valuation, &c.,... 181
reports of, in answer to resolutions above, 214, 222, 227
252, 265, 287, 302, 314
bill to make the office of, a salary office, 61, 271, 404, 431
455, 541, 544, 809
- of Wyoming co., 158, 225, 284, 400
of Madison, 318

- County clerk's office, N. Y., (see fees.)
- County and State prisons, bill for the better regulation of, 687
888, 918, 932, 1010
- County teachers' associations, (see teachers' associations.)
- Countryman, Thomas, resolution to take papers from files, 37, 105
bill for the appraisement of damages, 196, 480, 513, 553
871, 919, 921
- Court house, Kings co., (see Kings.)
- in Queens co., petition for locating and constructing
 a new, 243, 253, 324
- remonstrances, 298
- bill, 285, 313, 319, 338, 344, 346, 368, 445, 498, 543, 568
- in Utica, (see Utica.)
- raising of \$1,500 to finish, 79, 85, 156, 192, 196, 210, 227
 228, 343, 349
- Court house and jail, Wayne co., bill to provide for erect-
ing a new, 493, 494, 512, 513, 578
- Courtin, Henrietta, F., bill confirming a conveyance to, 335, 404
493, 671
- Cowle, Eliza W., petition in the matter of the estate of, ... 118
- Cox, Jacob and David, petition for relief, 58, 473
- Cramer, Aaron, and James E. Shader, petition for canal
damages, 122
- bill, 219, 478, 520, 548, 786
- Crandall, Wm. L., report of, 1106
- resolution in relation to printing the report of, on
 the public school policy, 1109, 1114
- Creighton, James, bill, justice of the peace, .. 881, 931, 960, 998
- Crier in Dutchess co., (see Dutchess.)
- Criminal judges, powers of, to inflict double punishment.
for second offence, 208
- Criminal proceedings in certain cases, (see reimbursements.)
- Criers of courts, (see Washington co.)
- Criminal statistics, (see report of secretary of State.)
- Crimes in certain cases, punishment of, and confining crimi-
nals in Albany penitentiary, 398, 404
- Croton aqueduct board, remonstrance against altering present
organization of the, 269
(see reservoir.)
- Crosier's swamp, (see Black creek)
- Croton and Sparta Lime Co., petition for appointment of ap-
praisers, 408
- report of committee, 641
- Crystal Palace, (see industry of all nations.)
- exhibition of the industry of all nations, amendment
 of charter, 143, 151, 216 221, 237
- police for the protection of, 151, 216, 221, 237, 262
- Culver J., petition for relief, 94
- bill, 219, 478, 548, 786

Cunningham, James, bill,	648
Curren, John W., papers on files of the Senate, referred, 712, 745	
Custody and government of State prisons, bill to amend act 1, title 2, chap. 3, part 1 R. S.,	287
Custody of papers, books, &c., of the late town of Westchester, resolution to the Assembly for papers on file,...	53

D.

Daggett, Stephen A., petition for canal damages,	65
Damages, John C. Van Alstyne, and others,	114
Jacob Pettibone, and Nathaniel Smith,	114
bill to repeal laws of 1849, and to provide for the settlement of,	299
Dansville, (see North Dansville,) bill to amend incorporation,	572, 616, 711
Dansville, Livingston co., bill to levy a tax to pay a reward,	72, 84, 175, 184
Death, (see compensation for causing death.)	
Deaf and dumb institution, N. Y., (see N. Y. institution.)	
Deaf and dumb, notice of bill in relation to the,	223
bill introduced,	227, 242, 302, 322, 339, 356, 484
bill to confirm sale of property to the institution of the, (see N. Y. Institution, deaf and dumb.)	
Debts, notice of bill to facilitate the proof of the payment of, in certain cases,	56
bill,	82, 103
(see contracting debts in cities.)	
to facilitate the collection of,	276, 278, 282, 286
contracted by women before marriage, 396, 704, 807,	871
	998
Debts against corporations, petition for repeal of law of March 19, 1852, to facilitate the collection of,	460
Decaters, Pierre Joseph, (see Antwerp company.)	
Decrees in late court of chancery, enrolment of, .. 363, 367, ..	373
	417
DeMosquera, Thomas Cypriano, and Pedro Alcantara Her- ran, resolution to take petition and papers of last year, in relation to from files, and refer to judiciary com.,	105
bill,	179, 290, 298, 303, 350, 618, 644
Deeds, act to provide for taking acknowledgment of, by per- sons residing out of the State, ... 110, 414, 712, 720, 751, ..	823
	845, 973
(see surrogates.)	
Deficiency in land sold Wm. E. & Morgan L. Worden, ... 31, 66	
bill,	66, 81, 83, 95, 156, 173, 199, 203, 468
Deficiency in treasury, resolution to raise tax to pay, 1085, 1086	
DeKlya, Jane Eliza, bill to release interest of the State in Utica to,	235, 290, 301, 336, 361, 662, 680

Delaware co., agricultural school in,	196
superintendent of poor in,	232
(see poor laws.)	
literary institute, bill to confirm official acts of trustees,	1025, 1041
institute, petitions for a grant for the endowment of a professorship of the natural sciences, &c., in the,	118
report of committee against appropriation,	640
plank road co., notice of bill to sell their rights, &c., to the Delaware and Susquehanna railroad,	36
Delaware & Susquehanna plank road co., bill to borrow money,	781, 786, 795, 798, 940
DeNotbeck, Cecilia, bill to hold real estate, ..	401, 602, 709, 796
Derbune, petition of citizens of school dist. No. 7, for relief,	38
Determination of claims to real property in certain cases, bill to amend R. S. in relation to proceedings to compel the,	394, 1041, 1088
DeVeaux college, bill to incorporate, ...	397, 416, 432, 454, 677
DeWitt dispensary, N. Y., annual report,	159
Diagrams of the Senate, resolution that clerk procure same number as furnished last year,	207
Dievendorf, Charles, resolution to send to the Assembly for papers relating to the claim of,	44
reported against,	201
resolution to return papers to petitioner,	259
Dievendorf, David, resolution to send to the Assembly for papers of,	44
reported against,	201
resolution to return petition to petitioner,	259
Digest of claims, report of W. H. Bogart,	38
see resolution of Mr. Jones, to continue the digest heretofore compiled by Wm. H. Bogart,	328
Directors of railroads, and way fare, petition relative to, ...	269
Directors of railroad corporations, bill to change the time for the election of,	713, 719
Disbursements upon the canals, Assembly bill regulating,	1001
1038, 1061, 1069, 1077, 1084, 1112	
Dissolution of manufacturing corporations in Herkimer co., act to facilitate, 110, 199, 275, 280, 297, 350, 369, 785 to apply to Ithaca cotton company, 328, 339, 367, 400, 422, 513, 530, 618	
Distress for rent, petition to abolish act for the,	233, 296
Disputed wills, bill in relation to, 310, 314, 385, 431, 470, 539 662, 680	
District courts, New-York, Assembly bill, to provide rooms for the	463

Distribution of standard works of American authors, notice of bill to provide for the,	31
bill,	36, 96, 176, 214, 225, 232
Distribution of school moneys, petition for,	30
Distinguished American Statesmen, who have departed this life in rapid succession for a few years past, resolutions by Mr. Pierce, in relation to appointing a select committee to report resolutions expressive of the sentiment of the people of this State, upon the character, &c., of,	190
Division of Albany co., petition for a, 66, 157, 220, 233, 261, 319 report of committee,	597
Division avenue, petition to lay a railroad track on said avenue,	76, 249
bill,	744, 817, 841, 903, 934
Assembly bill, to keep Division avenue in repair, 918, 934	
Division of Chautauque, Cattaraugus and Erie counties. (see Chautauque.)	
Division of Schenectady co., remonstrance against,	403
Division of Steuben co., petition for the,	35, 45, 54
notice of bill,	37
bill,	39, 55, 149, 171, 179, 181
resolution to take papers from files and refer,	44
Division of 18th ward New-York, petitions for a,	186
Divorces, petition for an extension of supreme court powers in cases of,	81
Documents, clerk to pay postage on documents,	4, 40
extra number of, printed for officers and reporters of the House, to be entitled to same number as members,	136
Dodge, Horace, resolution to take from files, papers relating to claim of,	41
report of committee,	55
Docks, bulkheads, piers &c., at Atlantic dock, petition of Atlantic dock company, to build,	54
remonstrance,	378, 402
bill,	132, 781
Documentary History, report of the Secretary of State, in relation to the,	258
Assembly resolution to print 20, for use of members and officers of the Assembly,	952, 970
Drafts drawn payable at sight, bill from the Assembly, in relation to the payment of,	223
notice of bill, by Mr. Jones,	224
Draining of Black creek, or Crosier's swamp, Ulster co., bill to provide for the,	335
Draining of the Cayuga marshes, petition for, &c., 35, 58, 65, 72 76, 84, 91, 98, 102, 109, 117, 122, 127, 131, 134, 143 167, 177, 192, 196, 213, 269	

Draining Cayuga marshes, report of select committee,.....	202
report of committee ordered printed,.....	202
bill,.....	244, 342, 458, 475, 513, 545, 618, 644
Draining in Manlius, DeWitt and Cicero, bill,.....	398, 510
Draining lands along Bear Trap and Mud creek, (see Bear Trap.)	
Draining of Fort swamp, bill,....	318, 319, 374, 443, 450, 477
Dry Dock Co., N. Y., bill to amend charter,.....	377, 390, 435
Dundas, resolution to take from files the papers relating to the charter of the village of,.....	67
notice of bill,.....	86
bill,.....	92, 118, 216, 234, 298, 786
Dunham, Cyrus P., resolution to take papers from files of Senate, relating to claim of,.....	79
bill,	122
Dunkirk Savings Bank, bill to incorporate the, 331, 370, 431, 454	578
Dunham, Jonathan O., (see David Hulse.)	
Dutchess co., bill extending time for the collection of taxes in,.....	94, 99, 106
expenses of trial of Wm. Somers be reimbursed to Putnam co.,.....	128
county judge to appoint crier,.....	936, 957
agricultural school,	213, 464
agricultural society in,.....	449, 671
Dutchess Co. Savings Bank, annual report,..	241
Dutchess turnpike, bill to amend act of April 12, 1853, 853, 880	
Dutchess Turnpike Co., bill to amend act, 522, 548, 567, 618, 646	
Davis, Charles and James, bill to convey interest of State in certain real estate to,.....	331, 414, 432, 512, 732

E.

Easterly, Timothy B., bill to legalize acts of,.....	918, 932
East Chester, free schools, bill,	619, 641, 771
East Chester and White Plains, bill to amend chap. 11 laws 1849, relating to highways,.....	919, 1027, 1066
East McDonough, Chenango co., bill to incorporate a cemetery at,.....	936, 950
Eastman, Smith J., and others, com. presenting through the Senate to the State, a medal commemorative of the valuable services of the late Mr. Clay, ...	189
resolution offered by Mr. Beekman,.....	189
East river, remonstrance against a law sinking a block in the, near Atlantic dock,.....	841
East River Mutual Insurance Co., notice of bill to extend time for increasing capital,.....	203
bill,.....	265, 378, 391, 492, 691
East River Savings Bank, annual report,.....	203

Ecclesiastical officers, petition and remonstrances relative	
to conveyances to persons holding, 96, 150, 156, 166	
177, 186, 192, 208, 212, 217, 226, 232, 240, 243, 253	
254, 261, 268, 269, 277, 283, 288, 296, 300, 319	
notice of bill,.....	98
bill,	100, 102, 299
Education, Assembly bill to establish a board of, at Fort	
Covington,	450
Egleston, John E., name changed to John E. Lowden, 93, 110	
	326, 340, 353
Eighteenth ward, N. Y., Assembly bill to divide the, 378, 642	
	690, 749, 768
Elbridge village, and Skaneateles junction, bill for half mill	
gate between,	846, 848, 870
Elbridge village a separate road district, bill noticed to	
amend act making,	237
bill,	245, 263, 276, 280, 662, 680
Elections, bill to prevent corruptions in,	129, 134, 167
concurrent resolution from Assembly,	623
Elective franchise, resolutions by Mr. Forsyth of the As-	
sembly, to amend Constitution in relation to the,	460
Elections and elective franchise, concurrent resolutions	
from the Assembly, to amend Constitution in relation to,	460
	623
Electors at elections, petition for an alteration of the Con-	
stitution, so as to disfranchise every person who shall cor-	
ruptly influence,	129, 134
Elections other than for militia and town officers, act re-	
specting in New-York,	259, 272, 299
Election notices, bill noticed, limiting number of newspa-	
pers in a county in which election notices shall be pub-	
lished,	223
Ellicottville, petition to have the village of, made a sepa-	
rate road district,	368
bill for a separate road district,	394, 426, 786
petition for a new assessment for certain purposes in	
said village of,	368
bill,	370, 382, 423, 781
Ellisburgh, Jefferson co., Assembly bill, special town meet-	
ing,	868, 917, 1042
Elmira, Chemung co., Assembly bill for concurrence, to	
amend charter of 1850,	531, 535, 598, 691, 707
Elmira & Southport bridge company, Assembly bill in re-	
lation to,	836, 971, 1006
Emanuel congregation N. Y., Assembly bill to authorise,	
to hold and grant real estate,	330, 381, 586
Emigration, (Commissioners of) notice of bill in relation to	
amending the acts in relation to the powers and	
duties of the,	73

Emigration bill, 78; 79, 244; 290, 297, 308, 312, 317, 322, 338	516, 645
petitions,.....	166, 240
remonstrance,.....	344
annual report of,.....	179
resolution to print 250 copies of report for Commis-	
sioners,.....	188, 193
communication from the,.....	516, 730
Emigrants of color, notice of bill authorising an appropria-	
tion of money to aid,.....	36
bill,.....	89
Emigrant industrial savings bank, annual report of,.....	188
Emigrant laws, petition for amendment of the, in relation to	
public health,.....	240
Emigrant passengers arriving at the port of New-York, As-	
sembly bill for protection of, 329, 344, 364, 368, 559	
634, 635, 646	
remonstrance,.....	408, 695
petition in relation to the landing of,.....	393, 764
notice of bill by Mr. Cooley, at extra session, to	
amend the act relating to, passed April 1853,....	656
bill,.....	812, 927, 933, 956, 985, 1003, 1092, 1113
Encroachments upon the waters of the East and North	
rivers, petition for a law restraining,.....	667, 683
(see harbor of N. Y., for memorial of Chamber of	
Commerce.)	
Engineer, (see State Engineer and Surveyor.)	
Engine-houses in Westchester co., resolution to send to the	
Assembly, for papers in relation to tax in West-	
chester-co., for,.....	53
bill,.....	188
Enlargement of the Erie, Genesee Valley and Black river	
canals, (see resolution of Mr. Cooley,) 32, 43, 51, 119	
notice of bill by Mr. Vanderbilt,.....	94
of the Cayuga and Seneca canal,.....	39, 51
bill noticed by Mr. Conger, the completion of the	
Erie canal,.....	98
Assembly bill for the enlargement of the Erie &	
Oswego, and completion of Genesee Valley and	
Black River canals,.....	875, 881, 884, 888, 909
see communication by Mr. Vanderbilt, in relation to	
amendment of Constitution, respecting the canal, 196	
200, 286, 287, 294, 302, 304, 317, 329, 333, 343, 345	
367, 377	
resolution by Mr. Vanderbilt, requesting State Engi-	
neer to report the probable cost of completing the	
canal,.....	287, 347
Enlargement of canals, (see canals.)	

Enrolment of decrees in late court of chancery, (see decrees.)	
Enrolment of the militia, (see militia,) (see assessors.)	
to abolish militia fines in certain cases, and to exempt members of uniform companies from working on highways, and serving on juries, bill to amend act of above title, passed April 16, 1851, and April 10, 1852,	295, 295, 250, 447, 572
resolution to refer bill to select committee,	553.
Episcopal church in the diocese of N. Y., bill to incorporate the trustees of the fund for aged and infirm clergymen of the protestant,	461, 496, 603, 621, 719, 742, 1040
Equalization of assessments, resolution by Mr. Pierce, in relation to,	126, 180
resolutions by Mr. Van Schoonhoven, in relation to duty of county clerks, relative to,	181
reports of county clerks in answer to resolution respecting the, 214, 222, 227, 241, 259, 265, 287, 302, 314	
bill to equalize and regulate assessments of railroad co.'s for taxation,	439, 453, 736
Equalization of assessments, and the correction of assessment rolls by supervisors, bill by Mr. Pierce, to amend the laws relating to,	130, 430, 705
Equalization of taxation, (see taxation.)	
Erie canal, resolution of Mr. Cooley, in relation to the completion of the enlargement of the,	32, 43, 51, 119
bill noticed by Mr. Vanderbilt, for the enlargement of the, &c.,	94
bill noticed by Mr. Conger, for the completing of the enlargement of the,	98
resolution by Mr. Pierce,	287
(see Mr. Vanderbilt's resolutions.)	
State Engineer and Surveyor to report the probable cost of expense of completing the enlargement of the, (resolution by Mr. Vanderbilt,)	287, 349
Erie co., time to extend collecting taxes in,	94, 99, 106
division of, (see Cattaraugus, Chautauque, &c.)	
remonstrance by town of Alden,	596
see canals, Assembly bill,	875, 888
Erie co. penitentiary, prisoners from eighth district to be sent to the,	935, 1008, 1059
Erie, Central and Northern railroads, resolution to a bill imposing tolls on thro' freight,	1085
Erie basin, Buffalo, petition of common for re-appropriation of money to the construction of the,	393
Erie & New-York city railroad co., bill to acquire title to lands,	812, 823, 899
Erie railroad, (see N. Y. & Erie railroad,) petition against change of terminus to New Jersey, 109, 110, 114, 119, 122, 133	

Escheats, and escheated lands, notice of bill in relation to,	123
bill,	137, 366, 373, 533
bill to render more perfect and equitable the laws concerning the,	335
Escorihuela, Bernarde, bill to enable him to hold real estate,	257, 385, 431, 512, 520, 529, 796
Essex co., bill to extend time for collection of taxes in, 94, 99, 106	
turnpike in,	153
to define boundaries in certain towns in, 329, 340, 367, 373	
	409, 772
Essex and Clinton co.'s, bill to authorise the sale or abandonment of any plank roads in,	807, 816
Esopus, bill to tax inhabitants of, to pay judgment against J. W. Shultz,	145, 158, 290, 299, 359
Evergreen cemetery, (see Pine Plains.)	
Excise, petition of citizens of Cold spring, in relation to	
commissioners of, in,	76
in Corning,	313
commissioners, in Oswego, bill,	214, 218
Executive sessions, of Senate, Wednesday, Jan'y 5, 32, 50, 194	
	249, 281, 315, 365, 411, 457, 486, 625, 737, 830
	873, 924, 988, 1069
Excursion to Niagara Falls, invitation from committee appointed by the central line of railroads, to make an,	725, 726, 727
invitation of Chapin, Mallory and Co., and others to members of the Legislature for an excursion to Niagara Falls,	747, 760
see W. J. McAlpine and others,	754, 768, 844, 850
(see Newton Isaac.)	
Exemption of property of ministers, petition for repeal of law,	166
Exhibition of the industry of all nations, (see Crystal Palace.)	(see industry of all nations.)
Expenses chargeable upon the canal fund, notice of bill providing for the,	31
bill,	39, 77, 175, 198, 205, 220, 224, 228, 348, 369
Expenses of government, (see certain expenses of government.)	
resolution of Mr. Conger, instructing the finance com. to inquire whether any and what clauses of the act to provide for certain, passed April 17, 1852, do not actually correspond with action of the last Legislature thereon, &c.,	52
(see comptroller to report in tabular form of the.)	
(see comptroller's report on the.)	
notice of a bill by Mr. Vanderbilt,	524
bill providing for the,	526, 966
(see certain expenses of government.)	

Expenses in criminal proceedings, (see reimbursements.)	
Expenses of officers, and other expenses of the Senate and Assembly, (see officers.)	
Expenses of the Senate chamber, bill providing for the payment of the,.....	86, 93, 99, 106, 111, 211, 214
(see carpeting Senate chamber,; (see Senate chamber.)	
Extra session of the Senate,.....	651
Eye and Ear Infirmary, N. Y., petition for appropriation to,	261

F.

Fabius, (see Free-will Baptists.)	
Families of State prison convicts, bill for relief of,	180, 203, 244 458, 478, 521, 566
Farmers' Insurance Co., Oneida co., bill to amend charter,	867
Farmers and Mechanics' Bank of Genesee, notice of bill to amend articles of association,	119
bill,.....	124, 135, 287, 289, 292, 484, 498
Fayette, bill for a bridge in town of,....	399, 408, 537, 564, 630
Fayetteville, bill to amend act of May 6, 1844,	448 474, 497, 512 670, 708
Fees for searches in county clerk's office, N. Y., bill to regulate the,	323, 326, 340, 360, 454, 579, 583
Fencing of railroads, notice of bill in relation to,	675, 705, 749 757, 796, 809, 810
Ferries, at Castleton, ..	31, 84, 176, 199, 205, 484, 498
Glen Cove,.....	32
New Rochelle and Glen Cove, 40, 93, 97, 110, 255, 264	266, 451, 476
Fort Montgomery,.....	39, 78, 135, 366, 372, 415
Catskill and Oak Hill,	98
Staten Island ferry boats,.....	91, 99, 176, 199, 205, 396
Henry Van Gordon, right to ferry,.....	104
Hyde Park and Esopus,	137, 159, 208
People's Ferry Co.,	240
New-York to Fort Hamilton,	307, 445
from Union Springs to Fayette,	330, 363, 431, 470
(see New-York, security of persons crossing.)	
Fort Hamilton,	402
between Rhinebeck and Kingston,	238
at Oak Point, (see Hammond.)	
Ferry companies, bill noticed for a law to establish, for ferry purposes,.....	87
bill,	179, 212, 290, 297, 303, 322, 382, 467, 497, 566
Fenton, Wm. H. H., bill to confirm official acts of, justice of the peace, in town of Carroll,.....	183
Fifty-cent military commutation tax, notice of bill to repeal the,	114, 124

Fifth brigade of militia, bill to authorise a reg't in the,	31, 36 59, 68, 73, 208, 229
Fire company in Waterville, bill to amend act of incorporation,	448, 464, 688
Fire department, Brooklyn, bill relative to the,	744, 749, 777, 782
Fire insurance companies, (see insurance companies.)	
Fire and inland navigation insurance companies, bill,	619, 625 804, 868, 898
Fire law in New-York, petition for an amendment of the,	402
Fire law, Brooklyn, petition to amend the,	233, 777
Fire co., in Oxford, bill to amend charter of the,	94, 100, 177, 184
Firemen in LeRoy, bill,	396, 495, 565, 585
Fires in New-York, (see prevention of,) (see New-York.)	
First Baptist society, Lorraine, (see Lorraine.)	
First company of the Northern turnpike, petition to abandon part of their road,	167, 269
bill,	296, 367, 372, 417, 484, 499
of the Great Western turnpike co., petition to abandon all their road west of 27 miles on their road,	167, 217
bill,	270, 366, 392, 422, 677, 680, 837, 839
First regiment of New-York volunteers, petition of the officers for reorganization,	109
bill,	300, 430, 522, 553, 771
Fish, preservation of, in Cayuga co.,	811
preservation of, in Lake George,	875, 899, 807
preservation of, in State,	461, 510, 699, 825, 907
Fisher, John, notice of bill to authorise, to sell real estate,	31
bill,	36, 55, 60, 64, 396
Fitch, Alvah and others, bill authorising an appeal from the judgment of,	990
Fitzhugh, Commissioner, report of to be printed,	415, 467
Flatbush, plank road co., bill authorising the, to collect tolls in certain cases,	1094, 1107
Fletcher, Noah T., and others, petition of, for damages,	114, 187
Flushing and Newtown creeks, bill to construct bridge,	335, 339 492, 749, 731, 585, 933, 956, 964, 970, 992
remonstrance,	848
committee discharged,	916
Flushing and Newtown turnpike and bridge co., bill to lease part of their road,	937
Foot bridge at Niagara Falls, petition for a,	157
Ford, Dennis, notice of bill to confirm title of, to real estate,	259
bill,	266, 288, 367, 670, 796
Foreign bank notes, bill concerning,	375, 376, 632, 633, 645
Formation of library companies, resolution to take bill and papers of last session from files and refer Literature com.,	95
Formation of railroad co.'s, (see railroad co.'s.)	
Forsyth, Jas., and G. M. Tibbits, petition for canal damages,	293
bill,	313, 322, 332, 377, 384

Fort Ann, resolution to send message to the Assembly for papers relating to supplying, with water,.....	107
bill,.....	446, 495, 693
Fort Covington, bill to establish a board of education in,...	450
	587, 591
Fort Hamilton, petition for a ferry to,	403
Fort Henry Furnace, (see Port Henry.)	
Foreign insurance co.'s, (see life insurance co.'s.)	
Fort Montgomery on the Hudson river, notice of bill to establish a ferry at,.....	39
bill,	78, 135, 366, 372, 414
Fort Swamp, in Shelby, bill to provide for draining, ...	318, 319
	374, 443, 459, 477
Fourth Avenue, N. Y., petition of Griswold, and others, in relation to fees in the matter of assessment for the pretended opening of,.....	313
Franklin academy, petition for a loan of money to the,....	344
Franklin Bridge company, Assembly bill to incorporate the,	375, 383, 576, 625
Fraudulent, fictitious, or pretended sales at auction, (see auctions.)	
Frazee, Benjamin, Assembly bill, for relief of,.....	446
Fredonia & Sinclairville plank road, bill from the Assembly to borrow money,	202, 220, 301, 307, 331
Free education, notice of bill by Mr. Conger, in relation to securing to the public instruction of the State, a more extended and elevated system of,	188
Free schools in Cherry Valley, Assembly bill for, 453, 465, 473	
	565, 589
Free schools in Bushwick, (see Bushwick.)	
Free schools in Eastchester, Assembly bill, ..	619, 641, 771, 898
Free schools in Waterloo, Assembly bill, 377, 386, 431, 496, 577	
Free tickets on railroads, petition against railroad companies giving tickets to members of the Legislature,.....	640
Frewsburgh plank road company, (see Carroll) Assembly bill,.....	880, 899, 1013
Free Will Baptist church and Society, Fabius, Assembly bill, for relief of,.....	813, 858, 1009
Freeman's Hall association, Brooklyn, bill relative to certain mortgages,	985, 1018, 1040
Free masons, (see grand lodge.)	
Freight carried on railroads, resolution that the State Engineer and Surveyor, report certain information in relation to,	46
report of Engineer, in relation to freight, &c.,.....	174
bill,	219
printing of report in relation to,.....	405
Frotier, Lewis, petition of, claim,	102, 479, 520, 552, 785
Fulton, Schoharie co., petition for a law extending time for collecting taxes in,	109

Fulton Live Stock insurance company, resolution to take papers from files and refer,	149
Fund for aged and infirm clergymen, (see Episcopal church.)	

G.

Galen, Wayne co., (see Clyde river,) Land Commissioners to hold land in,	664
Gallupsville, Assembly bill, for road district,	815, 821, 854
Garden in New-York, bill to authorise the founding of a,	859
	866, 1017, 1058
Gardiner, Ulster co., resolution to take papers from files and refer,	170
bill,	263, 327, 340, 349, 361, 461, 478
Geddes, bill to sell cemetery grounds, 394, 399, 431, 455,	478
	529, 643, 772
General banking law, notice of bills amendatory of the,	111, 245
General Fund debt, see resolution of Mr. McMurray, in relation to that part of the, referring Governor's message to finance committee,	52
General insurance law, (see insurance.)	
General index of laws of this State, resolution that the clerk purchase copies of the,	556
General railroad law, notice of bills to amend the,	203, 259
petitions,	208, 269
General plank road law, bill to amend the,	685
General orders, motions, &c., 160, 173, 197, 226, 272, 281, 283	
	272, 281, 282, 283, 289, 724, 742, 770, 786, 794, 860, 874
	876, 893, 915
resolution by Mr. Morgan to appoint a select committee of 8 senators, one from each Senate dist., to which shall be referred the general orders, &c.,	272
	281, 282
several bills by their numbers, referred from the, to, and made special orders,	428
General plank road law, notices of bills to amend the, 77,	159
	685
petitions for amendment of the,	254
Genesee college, petition for an appropriation to,	109
motion to discharge committee on finance and refer to committee on literature,	119
report of committee against appropriation,	640
Genesee county, records of to be transcribed, 258, 271, 327,	517
	805, 867
Genesee river, petition of J. P. Rounsville to build a dam across, at Belfast,	45
Genesee Suspension Bridge Co., bill to amend act of April 16, 1852,	485, 720, 732, 750
Genesee Valley and Black River canals, see resolutions of Mr. Cooley,	32, 43, 51, 119

Genesee Valley and Black River canals, bill noticed by Mr. Vanderbilt, for the enlargement of the, &c.,	94
see canals, bill,	875
Genesee, bill to amend several acts relating to the village of,	501, 598, 707
Geveva, bill to amend act of incorporation,	1106
Geographical (American) and Statistical Society, notice of bill to incorporate the,	56
bill,	59, 493
German Mission church, Buffalo, petition to incorporate the,	166
bill,	179, 290, 297, 303, 315, 662, 680
Glen's Falls, bill constituting the village of, a separate road district,	1041
Glen Cove Ferry Co., (see New Rochelle and Glen Cove Ferry Co.)	
Governor, committee appointed to wait on the, and inform him that the Senate was ready to proceed to business,	649, 650
Glebe lands in Newburgh, bill in relation to, and petitions,	67
petition,	96, 99, 202, 852
Goewey, Ann Eliza, bill for the relief of,	128, 301, 307, 336
Goodrich, Marius, petition for damages,	887, 893, 894, 914
bill,	217
Gospel and school lands in towns of Oswego, Hannibal and Granby, notice of bill confirming sale of,	234, 478, 520, 550, 785
bill,	131, 137
Goss, Henry, (see Mary Savage and P. Henson.)	
Goskoff, Frederick, bill for the relief of,	147, 158, 290, 298, 303, 318, 468, 499
Governor, committee appointed to wait upon the, and inform that the Senate was ready to proceed to business,	3
message of the, presented,	4
resolution to print the message of the,	29
to transmit a copy of preamble and resolutions by Mr. Pierce, to senators, &c., in Congress, in relation to errors on the journals of the Senate, in engrossing resolution about granting lands to States,	42
resolution of Mr. Cooley, in relation to governor's message, respecting enlargement of canals,	32, 43, 51
message of, for appropriations to the canals, (see canals.)	119
resolutions by Mr. McMurray, in relation to referring the governor's message to committees,	52, 70
to appoint commissioners to codify militia law,	87
proclamation of the, calling extra session of the Senate,	651
message, extra session,	650

Governor, message, transmitting a communication from the department at Washington, accompanying a correspondence in relation to the public health,.....	754
Government, expenses of, resolution of Mr. Conger, in relation to instructing finance committee in reference to law of 1852, chap. 407,	52
(see State debts.)	
(see expenses of government.)	
support of, (see support of government.)	
(see certain expenses of.)	
Grade lines in Brooklyn, bill to provide for assessing the expense of establishing,....	500, 557, 598, 697
Grand Lodge of the State of New-York, resolution to take papers from files and refer,	75
petitions for an act of incorporation, ...	76, 102, 131, 135
156, 157, 158, 192, 201, 212	
report of committee,	643
Grants of land to States by Congress, (see resolution of Mr. Pierce in relation to errors in engrossing the resolutions passed at the last session.)	
Grass river, bill to improve,	815, 824, 920
Graves, Jacob, and C. J. Hill, bill, canal appraisers to examine report upon the claim of,.....	1041, 1087, 1088, 1093
Greig, Lewis co., bill to legalize certain highways in,...	807, 811
903, 940	
Greene, Chenango co., bill for amendment of charter, 418, 430	
441	
Green, Benjamin F., bill for relief of,	868, 1042
Green, Wayne co., (see Clyde river.)	
Greene co., bill noticed, supervisors of to levy a tax in Catskill to build a bridge,.....	56
bill, .. 61, 77, 109, 127, 149, 167, 197, 200, 209, 210, 243	
259, 265, 277, 280	
remonstrances and petitions for bridge, 99, 128, 143, 157	
166, 167, 208, 212	
Greenbush, Rens. co., petition for repairing highways in, 875, 891	
900, 905	
Greenbush and Schoodack, Rens. co., time extended for collection of taxes in,.....	236, 240
Greenwich savings bank, annual report,.....	203
Greenwood cemetery, notice of bill in relation to,.....	129
bill,	148, 158, 225, 411, 425, 519, 772
Griffin, Wm., deceased, bill for relief of heirs of, 501, 1042, 1182	
Grocers' steam sugar refining co., N. Y., bill to authorize the, to borrow money,.....	863, 866, 899, 957, 1101
Gross frauds, (see meek auctions.)	
Groton, Tompkins co., bill to discontinue a highway in town of,.....	146, 263, 269, 404, 432, 470, 592
remonstrance and petitions, .. 166, 212, 232, 233, 240, 253	
Guardians and wards, bill relating to,	285, 327, 355, 360

H.

- Hall, Harry, bill for relief of, 331, 465, 617, 689, 743, 1076
 Haight, Nicholas, communication from, as commander of,
 the veteran corps of 1812, 136
 Haight, W. S., (see Niagara river reservation.)
 Hamilton, Charles K., petition of, to hold real estate, . . . 186
 Hamilton college, papers on files referred to commissioners, 225
 Hamilton fire insurance co., (see building association.)
 Hammond, bill in relation to ferry at Oak Point, 996, 1006
 Hammondsport and Bath plank road, bill to abandon part
 of road, 447, 512, 538, 563, 608
 Hannibal, (see Oswego.)
 Hinds, Jacob, petition of, late canal commissioner, for canal
 board to audit certain expenses incurred by him, 110, 150
 report of committee, adversely, to granting prayer of
 the petitioner, 270
 Harbor of New-York, memorial for the better protection of
 the, 848, 865
 invitation to inspect the, 990
 Harbor of New-York, petition for board of Commissioners
 to determine the water line of the, 865, 866, 883
 message from the Governor, transmitting a memorial
 of the Chamber of Commerce, &c., 879
 (see wharves and piers.)
 Harbor masters New-York, Assembly bill to amend act re-
 lating to the, 334, 474
 Harden, Lydia, Assembly bill to amend act of April 7, 1849, 485
 511, 1040, 1062
 Harlem railroad company, bill noticed to amend act of
 April, 1852, 60
 (see N. Y. & Harlem R. R. Co.)
 bill referred to select committee, 214
 Harlem river, petition and bill in relation to planting and
 taking of oysters in the, 306, 310, 379, 536, 561, 601, 909
 Harwood A., papers sent to the Assembly, 128
 Hastings, Wm. T., Assembly bill, (lease of water), 535
 Havana & Newfield plank road company, Assembly bill in
 relation to the, 937, 971, 1006
 Hawkins, John, Assembly bill to confirm title of, to a piece
 of land, 534, 824, 1025
 Hawley, Charles J., petition for canal damages, 261
 bill, 307, 478, 520, 549, 786
 Hay, James, petition of claiming heirship to escheated es-
 tate of John G. Leake, 45
 Health, (public) notice of bill to preserve the, 100
 bill, 104, 114, 213, 271, 295, 366, 430, 455, 560, 1007
 Herkimer co., dissolution of manufacturing corporations in, 110
 199, 275, 280, 297, 332, 850, 369, 785

Hempstead, (see South Hempstead.)	
Hempstead, remonstrance against sale of the common lands	
in,	213
Hempstead, Queens co., taxes in,	240, 242
Henry, Jr., George, Assembly bill to confirm title of,	383, 403
	604, 995
Henson, Philip, (see Mary Savage.)	
Herman plank road company, Assembly bill for the,	890, 932
	1031, 1038
Hernance, Wm., and heirs of John Vanderpool, Assembly	
bill for relief of,	387, 597, 713
Herran, Pedro Alcantara, and Thomas C. de Mosquera, to	
hold real estate,	105, 179, 290, 298, 303, 350, 618, 644
Hoag, M. L., (see M. L. Hovey.)	
High Bridge plank road company, Assembly bill to sur-	
render part of their road,	938
Higginsville, petition for a bridge at,	865
Highways, (see commissioners of highways) resolution to	
take from files of the Assembly, papers relating	
to laying out a highway in Canandaigua,	41
petition to lay out street in Canandaigua,	45, 49
bill,	59, 79, 88, 94, 395, 686, 720, 726, 736, 799, 941
(see roads and highways.)	
(see Beaver river.)	
bill from Assembly, to discontinue a, in Groton,	
Tompkins co.,	146, 171, 401, 432, 470
remonstrance and petitions,	166, 213, 232, 233, 240, 253
	263, 269, 592
increase of tax for highway purposes,	232
in Montgomery co.,	
see Indian river,	344, 362, 370, 382, 392, 499
(see Leicester.)	
Chemung narrows, in Barre,	780, 802, 816, 817, 786, 796
	797
(see Black creek.)	
(see Black river.)	
in Greig,	807, 811, 993
in Malone,	848
Assembly bill to facilitate the laying out of, alter-	
ing or discontinuing,	868, 892
in Greenbush,	875, 892, 900, 905
in Eastchester and White Plains,	919, 1066
Highways and bridges, bill in relation to,	731, 742, 777, 778, 917
	932, 963
Highway labor on the Macedon and Bristol plank road, (see	
Macedon and Bristol plank road co.)	
on plank roads, petitions for,	402, 703
petition of citizens of Ontario and Wayne counties	
relative to,	460

Highway work on Buffalo and Batavia plank road, bill, 62, 91	
	118, 255
Hill, Lester K. and H. Bartlett, bill to confirm election of, 619, 798	
Hinsdale, petition to lay out a road less than 3 rods wide, 784, 812	
Hinmanville, (see Sheroeppel and Granby,) (see bridges.)	
Holley, bill to enlarge power of trustees of the village of, 389	
	410, 604, 621, 696
Home for the friendless, (see Albany industrial home.)	
memorial,	83
bill,	118, 216
Homer, Cortland co., resolution to send to the Assembly for	
papers in relation to common schools in,	62
bill noticed,	93
bill from Assembly,	145, 158, 366, 373, 444
Homestead exemption, bill to amend act of April 10, 1850, 449	
	931
Homeopathic (N. Y.) Association, petition for act of incor-	
poration,	157
bill,	386, 431
Hornellsville, bill for election of street commissioner in, 880, 991	
	1060
Hospitals, N. Y. (see marine hospital,) message from Assem-	
bly, that the House had ordered the printing of six copies	
for each member, of the report of the commissioners to	
examine the,	302
Hours of labor on public works, (see labor.)	
Hovey, M. L., petition for relief,	96
bill,	219, 479, 520, 551, 785
Howard, Ward B., papers belonging to water grant of, be	
taken from files and referred,	188
Hudson orphan asylum, bill for money to be paid the, by	
Columbia co.,	848, 871, 486, 1087, 1088, 1090, 1101
Hudson river, ferry at Castleton on the, .. 31, 84, 176, 199, 205	
ferry at Fort Montgomery, on the,	39, 78, 135
bridge across the branch of the, in Warren co., 41, 70, 152	
	374, 376, 422, 468
ship canal around the overslaugh, in the, (see Alba-	
ny and New Baltimore ship canal.)	
Hulbert, Levi, and Chas. Vrooman, bill for relief of, 57, 122, 295	
	306, 337, 390
Hulse, David, and Jonathan O. Dunning, petition of, for	
balance of claim,	96
Huntington, Suffolk co., bill to appoint com. of deeds, .. 446, 704	
Hyde Park, bill to purchase cemetery grounds, ... 533, 559, 684	
Hyde Park and Esopus ferry co., notice of bill,	137
bill,	159
petition,	208

I.

- Idle and truant children, bill for care of,..... 572, 596, 631
 Idiot asylum, message from Assembly, that the house had
 ordered the printing of five extra copies of the
 report of trustees of the, for each member, and
 500 for trustees,..... 173
 bill making appropriation, 534, 543, 588
 Idiotcy, report of the Sec'y of State, containing statistics of, 608
 Illegal taxes and assessments, (see taxes and assessments.)
 Illinois, see resolution of Mr. Babcock, in relation to lands
 granted by Congress for aid to railroad from Pontiac,... 89.
 Incorporated companies, (see assessment.)
 Imprisonment, (see non imprisonment.)
 for debt, bill to abolish,..... 752, 1042
 Improvement and elevating the minds of the rising genera-
 tion, petition of Jacob A. Westervelt, and Geo. A. Mat-
 sell, in relation to providing greater facilities for the, 166, 173
 Improvements and assesments in N. Y., (see New-York
 city.)
 Incorporated banks, banking associations, &c., bill, 566, 595, 669
 Indexes to public records, petition for the publication of,.. 703
 Indians, St. Regis,.... 45, 535
 papers of Henry Jordan sent to the Assembly,..... 110
 (see Jordan, Henry.)
 act for the education of the children of the Tona-
 wanda, 111, 114, 376, 450, 466, 911
 Cayuga, annuities to, 214, 226, 268, 271, 278, 314, 319
 475, 511, 571
 Oneida Indian schools,..... 225
 Tonawandas,.... 111, 114, 376, 450
 Onondagas, 445, 446
 Tuscaroras,..... 501, 511
 Seneca, school,..... 812
 Indian reservation, Onondaga, bill to survey and sell lands in, 445
 bill for an appropriation, to repair road across the, 446
 Indian river, petition for a law declaring, a highway, 344
 bill, 362, 370, 382, 392, 499
 Indian schools, bill for establishment of, upon Cattaraugus
 and Allegany reservations,..... 396, 411
 Indian war of 1791 and 1792, (see resolutions.)
 Indigent persons, bill for relief of,..... 378, 403, 418
 bill for the relief and support of, 937
 Industry of all nations, exhibition of the, amendment of
 charter,..... 143, 151, 221, 237, 261
 (see Crystal Palace.)
 police for the protection of the,..... 151, 216, 221, 262
 act to amend charter of the association for the exhi-
 bition of the, 143, 151, 216, 221, 237
 (see resolutions.)

Industry of all nations, communication by the governor for the Legislature to attend opening of the exhibition of the,.....	972
resolution of Mr. Taber, to attend,	973, 979
resolution to appoint a committee to make arrangements to attend the exhibition,.....	979
Industrial Home for the Friendless, (see Albany Guardian Society.) (see Albany Industrial Home.)	
Inland navigation companies, (see navigation cos.)	
Inspectors of State prisons, annual report and communication from the,	36, 77
resolution to print 1,000 extra copies of report for inspectors and prisons, and 2,000 for inspectors,	78, 79 140, 311
statement of expenses of the,	96
bill for relief of, also of Christopher Morgan and T. M. Romeyn,.....	134, 479
Insurance companies, notice of bill to enable the Metropolitan Fire, to increase number of directors,	31
bill,.....	37, 38, 58, 60, 129, 136
bill to amend the general law incorporating,	403, 712, 736
(see life ins. cos.)	826, 830
(see mutual ins. cos.)	
Chautauque Mutual,.....	128, 187
Building Asso. Fire,	129, 144, 252, 256, 266
Fulton Live Stock,	149
New-York Live Stock,	255, 376
East River Mutual,	203, 265, 378, 391, 492, 691
Mutual Life,	252
bill to amend laws relative to,.....	310, 854, 935
Utica,	335, 496, 538, 562, 631
Western New-York,	398, 413, 430, 858, 912
Commercial, N. Y.,.....	448, 466, 673, 899, 812, 827
Life and Health,	493, 617, 867, 982, 1000, 1026
Fire and Inland Navigation,.....	619, 804, 868, 898
Marine,	865
(see Harbor, N. Y.)	
Farmers', Oneida co.,.....	867
New-York Central, at Cherry Valley,.....	919, 921
(see N. Y. Life.) (see N. Y. Mutual.)	
bill to amend act of June 25, 1853,...	971, 975, 977, 997
Institutes, bill noticed to repeal act, for the establishment of teachers',	56
bill,.....	59, 66, 174, 198, 204
petition for appropriation to teachers,	96
savings institute for merchants' clerks,	123
Brooklyn, annual report,	131
Packer,	123, 132, 289, 302, 308, 311, 322
Rensselaer Polytechnic,	166

Institutes, National Guard,.....	364
Delaware,.....	118
Institution for the blind, petition of managers for an appropriation,	156
annual report of the,	329
annual report for 1852,.....	339
Instruction of common school teachers, notice of bill to provide for the,.....	86
bill,	98, 197, 324, 383, 400, 477, 780
Intemperance petition of Mary A. Hopkins, and others, for the suppression of the evils of,.....	429
Interest of money, bill in relation to the, 310, 364, 946, 956, 1019	
Intoxicating drinks, petition for a law to prohibit sale of, 83, 95	
95, 101, 109, 113, 214, 127, 143, 166, 172, 173, 195, 212	
254, 306, 313, 739, 755	
(see sale of spirituous liquors.)	
notice of bill relative to manufacture and sale of, ..	137
bills, 147, 264, 274, 364, 368, 470, 739, 740, 818, 819, 825	
830, 831, 1101	
notice of bill relating to the sale of,.....	152
Senate bill 188, to prevent the sale of,....	364, 439, 754
Ithaca, notice of bill to amend charter,.....	119
bill to consolidate laws relating to, 170, 202, 281, 325, 425	
672, 699, 750	
water works co., in, 272, 310, 340, 367, 411, 444, 520, 772	
cotton mills at,	328, 339, 367, 400, 422, 513
Irving savings institution, N. Y., annual report of the,....	159
Invitation of the Central line railroad company, to the Legislature to make an excursion to Niagara Falls, 725, 726	
727	
invitation Chapin, Mallory, & Co., and others, to the Legislature, for an excursion to Niagara Falls, 747, 760	
see W. J. McAlpine, and others,.....	754, 768, 844, 850

J.

Jail limits, Utica, bill from the Assembly, 129, 168, 326, 341, 351	
935	
Jamaica village, Assembly bill to incorporate the, 875, 932, 1015	
Jarvis, A. S., notice of bill to authorise, to use girders and posts of wood, in constructing a certain building in New-York,.....	402
bill,	404
Johnson's (Roeliff) Kill, (see (Roeliff.)	
Johnson, Thomas L., petition of, collector of Kingston, to extend time for collecting his tax roll,.....	99
Joint stock companies, petitions to incorporate, to construct the Niagara ship canal,.....	873
(see stock companies.)	

Joint rules, (see rules.)	
Jones, David, (see Commissioners Land Office.)	
Jones' Wood, (see public park.)	
Jordan, Henry, (an Indian) papers of, transmitted to the Assembly,.....	110
Assembly bill,	867, 891
Journal of the Senate, resolution of Mr. Conger, that the Clerk procure signatures of the Journal, to place on the files,	61
Journal of the Senate of last session, (see resolution of Mr. Pierce, in relation to the),.....	42, 47
report of committee,.....	642
Jordan & Skaneateles plank road company, notice of bill to erect a gate on the,.....	402
Judd, Bethuel, petition of, for canal damages,	715
Judges, (see criminal judges.)	
Judges of the Superior court, N. Y., memorial to reduce number of,.....	747
Judiciary, Assembly bill in relation to the, 814, 889, 891, 899 905, 1042	
Judgment, (see Potsdam & Watertown railroad.)	
Junction canal company, notice of bill to incorporate the, bill,	246 265, 370, 431, 455, 478, 518, 662, 680
Junius, Assembly bill to sell parsonage,	533, 596
Junior N. Y., Journeymen Ship-wright and Caulker's be- nevolent association, Assembly bill,...	397, 416, 432, 474, 581
Jurisdiction of justices' court, petition for extension of the, in cases of assault and battery, &c.,	157
Jurors, in Kings co., bill,	520, 521, 544
Jurors in New-York, bill in relation to,.....	594, 602, 904, 941
Justices' courts, jurisdiction to be extended in, cases of as- sault and battery and slander,	157
Justices of the peace, papers and petitions of citizens of Oneida co., in relation to jurisdiction of, be taken from the files and referred,.....	38
in Potsdam, St. Lawrence co.,	116, 151
(see law partners of.)	
(see Ellisburgh.)	
James Creighton,	881
bill from Assembly, confirming acts of J. P. Richard- son, a,.....	318, 325, 349
in Suffolk co., (J. W. Pelletreau),	376, 381
official acts of Daniel A Stewart, a, in New Windsor, confirmed,	461
Assembly bill, to legalise acts of Stephen T. Bab- cock, a,.....	500, 560, 768
compensation of, in criminal cases,.....	573, 704
J. C. Riggs,	936
Justices of the peace, in Carroll,	183

Juvenile asylum, N. Y., memorial for a law to authorise
 the, to purchase land for building purposes, 695, 743, 777, 782
 Juvenile delinquents, N. Y., Assembly bill to enable the
 society to complete their building,.... 462, 603, 724, 736, 828
 Juvenile offenders, bill in relation to the confinement of,
 under sentences of the courts of the U. S., 739, 890, 899, 1057

K.

Kassan, Lewis & Co., petition, &c., for canal damages, 36, 63, 123
 Keepers and guards of State prisons, Assembly bill, in re-
 lation to salaries of,..... 573, 601, 698
 Kesler, John, petition, &c., of, claim,..... 102, 123
 Kemp, Emeline, bill to change name,..... 1093
 Kill, George, bill from Assembly for relief of, 146, 187, 366, 401
 687

Kings co., petition and bill in relation to penitentiary and
 Sheriff's fees in,.. 45, 179, 225, 256, 264, 267, 484, 498
 recording of certain assignment of mortgage by
 clerk of, 137, 147, 202, 386, 519, 785
 petition of supervisors of, for a loan for county pur-
 poses,..... 143, 179, 256, 264, 277, 679, 731
 petition in relation to school moneys in, 233, 641
 mechanics in,..... 485, 621, 768
 jurors in,..... 529, 521, 544
 supervisors to build court house,..... 542, 601, 640
 (see Division avenue.)

Kingsboro' Congregational church, Assembly bill to change
 name of the,..... 448, 465, 682
 Kingston, Assembly bill to consolidate the several acts in
 relation to the village, 315, 345, 848
 remonstrance,..... 949, 969, 1062
 Kingston, petition of Thomas L. Johnson, collector of, to
 extend time to collect his tax roll,..... 92
 records of,..... 188, 145, 366, 371, 855, 941
 Kingston, Ulster co., time for collection of taxes in, exten-
 ded,..... 236, 240
 Knox, Wm. and James, bill to release interest of the State
 to, 146, 289, 327, 373, 577
 Knives, (see penknives.)

L.

Ledyard, petition for the union of dist. No. 18 and 19, and
 the election of road master in, 261, 270, 277, 285, 291, 310, 314
 Lee and Auriesville, bill authorising town superintendents
 of common schools to appraise and distribute certain
 school monies,..... 387, 453, 629
 Lee, Charles, (see sergeant-at-arms.)

Lefferts Park, petition of citizens of Brooklyn, for act of incorporation,	201, 983, 956, 1019, 1041
Leggett, Susan Post, bill in relation to lands held in trust by Wm. H. Leggett,	501, 522, 557, 805, 806
Leggett, Wm. H., (see Barber,) (see Susan P. Leggett.)	
Leicester, Livingston co., bill to legalize official acts of commissioners of highways in,	935
Lenox, bill providing for additional justice of police, ..	919, 1042
Lent, DeHuron, petition for canal damages,	156
bill,	263
LeValley, Francis J., papers on file sent to Assembly, ..	128
Labor on public works, bill regulating, 536, 601, 894, 923, ..	1101
Ladies' depository, N. Y., resolution to take from files and refer, papers relating to the,	41
bill,	50, 68, 82, 85, 185, 468, 499
Lake George, bill to preserve fish in,	875, 899, 907, 941
Lancasterian schools in Schenectady, papers taken from files and referred,	139
Lands, bill to amend act relative to the partition of, ...	102, 275
	277, 281
erroneous sale of, of John Merrill,	167
in Brooklyn, to be ceded to the United States, (see United States,) (see Brooklyn.)	
granted by Congress to aid the construction of certain railroads in other States, see resolution of Mr. Babcock, relative to the subject of granting lands by Congress, to aid in construction of certain railroads in other States,	89, 185
(see resolution of Mr. Pierce in relation to an error in engrossing resolution passed the last session.)	
bill in relation to the partition of,	462
Land office, (see commissioners.)	
warrants, see papers, books, &c., bill to restore, 53, 93, 97	
Lansingburgh plank road co., bill relative to, 890, 899, 901, 1037	
Lansing, bill to authorise trustees of Milton center society, to sell part of their property,	970, 1005, 1059
Lansing, Eliza L. T., petition of,	703
Lea, Job, petition to hold real estate,	713
bill,	890, 899, 957
Large, Mary, and Ann Hewson, (see Savage, Mary.)	
to hold real estate,	239
bill,	385, 431, 478, 538, 555, 1106, 1113
Law school, see N. Y. and National.)	
Law documents, &c., (see N. Y. State Ag. College.)	
Laws of 1837, bill to amend chap. 20 of the,	696
of 1847, to amend chap. 460 of the,	561
of 1849, bill to amend or repeal chap. 175 of the, providing for the publication of the Colonial History, 56, 61	
	68, 100

Laws of 1849, bill to amend chap. 250, . . . 706, 716, 763, 769, 773	
bill to amend sec. 1, chap. 256,	744
Laws, documents and other publications, resolution to place	
the, in library of the N. Y. State Ag. College,	945
Law partners of justices of the peace, notice of bill prohibit-	
ing from practicing before justices,	246
Lawrence, Wm. T., (see Constitution.)	
Leake, John G., petition of James Hay, claiming heirship to	
estate of,	45
Leake and Watts Orphan House in N. Y., petition in rela-	
tion to vesting in them certain unsold lands,	66
Lebanon Springs Railroad Co., bill to construct extension, 215	
220, 228 242, 249, 814, 822, 829	
Lewis, Eliphalet; (see Eliphalet Sears.)	
Lewis county, bill for the construction of a road from, to	
Brown's tract, in Herkimer co., 389, 414, 689, 725, 726, 733	
757	
Lewiston, bill to amend charter,	919, 931, 1007
Lewiston railroad, bill relative to the,	335, 355
Liberia Ag. Association, petition for a grant of \$2,000, . . .	91
Libel suits, notice of bill relative to, against publishers, &c.,	
of newspapers,	93
bill,	97
Libel, bill to amend the law of,	596, 615
Library, N. Y., for merchants and clerks, petition for a, . . .	806
bill,	807, 821
Library, (see State library.)	
(see Astor library.)	
Library of the Senate, resolution to pay Wm. Pepper for ar-	
ranging books, &c., in the,	57
resolution that the officer of the, report number of	
books belonging to the, &c.,	57
Libraries of the court of appeals, bill in relation to, . . .	311, 328
Librarians, bill to pay district school,	378, 386, 785, 748
Library companies, resolution that bill with papers relating	
to, introduced last session be taken from files of Se-	
nate and referred to com. on literature,	95
bill,	147, 152, 167, 301, 308, 444, 772
Licences, (see spirituous liquors.)	
(see Ovid.)	
bill to abolish,	31, 39, 77
Licensing the sale of intoxicating drinks, notice of bill to	
amend law relating to,	152
Lien law, (see mechanic's,) (see Brooklyn.)	
Lieut. Governor, called Senate to order,	3
absence of the,	76
Life and health insurance co., bill to provide the incorpor-	
ation of the, and in relation to the agencies of such com-	
panies,	498, 617, 856, 867, 982, 1000, 1026

Life insurance companies, N. Y., (see N. Y. life insurance co.)	
of sister States, &c, bill noticed to amend law of	
1851, in relation to,	56
petition relative to making statements,	878
Light houses, (see United States.)	
Limits, (see jail limits.)	
Limiting conveyances to persons in ecclesiastical offices,	
petition of citizens of Buffalo,	96, 98, 100, 102
LeRoy village, petition for amendment of charter,	283
bill,	289, 327, 342, 356, 357, 781
firemen in, bill,	396, 495, 538, 565, 585
(see bridge at.)	
Literature and U. S. deposit fund, bill appropriating the	
revenues of the,	706, 716, 736, 738, 759
Liquors, (see spirituous liquors,) (see Maine law,) (see in-	
toxicating drinks.)	
Live stock insurance co., (see N. Y. live stock ins. co.)	
(see western New-York)	
Livingston, Clermont and Germantown, petition for a bridge,	253
bill,	258, 263, 278, 409, 469, 499
Locks on the canals, petition to prohibit opening of, on Sun-	
day,	30
(see Champlain canal and canal commissioners.)	
Locks on the Champlain canal, bill noticed, requiring the	
canal com. to enlarge the,	56
petitions,	134
bill,	220, 295, 304, 332, 432, 575
Lockport, petition to raise tax for certain purposes,	747
bill,	747, 761, 774
Lodge No. 61, Tonawanda, bill for relief of, 277, 327, 383, 530	
	816
(see Grand Lodge.)	
Lorraine, bill relating to first baptist society in,	836, 950
Lotteries, (see raffling and lotteries)	
Lowville and Carthage plank road, petition for relief, 172, 178, 325	
Lowden, John E. (see John E. Eggleston, name changed.)	
Lunatic asylum, (see State lunatic asylum,) (see western	
lunatic asylum.)	
Lysander, bridge over State drain,	214, 434, 498, 590
Lyons, invitation of citizens of, to Legislature to participate	
with them in celebrating the 4th of July,	945

M.

McAlpine, W. J., and others, invitation of, interested in	
railroads and steamboat cos., to pass members of the Legis-	
lature and State officers on an excursion	754, 786
McAnnally, Mary, and Ann Thompson, petition to hold real	
estate,	742, 933, 1065

McCaughal, Geo., bill to release lands,.....	446, 470, 579, 724
McFarren, Robert, late loan commissioner, Yates co., resolution to take papers of, from files and refer to com. on claims,.....	33
petition of, for relief,	143, 614
McFarren, Robt. W., resolution to send to the Assembly for papers relating to claim of late loan commissioner of Yates co.,.....	83, 79
petition,.....	143, 344, 346
remonstrance,	319
bill,	321, 594, 603, 940
McFarland, C. and J. D., notice of bill to hold real estate, ..	203
bill,.....	235, 290, 298, 304, 351, 618, 644
McGhee, Alexander, petition for relief,.....	30
papers referred to committee on claims,.....	32
reported against,.....	557
McIntosh, Betsey, bill for relief of,.....	844, 1042
Maclin, Sarah, petition of, for a release by the State of interest in lands in Brooklyn,	31
bill,	63, 68, 100, 800
McMurray, Hon. Wm., resolution appointing him president pro tem. of the Senate,.....	76, 78
McMaster & Merritt, petition for relief,.....	226
bill,	255, 481, 498, 594, 670, 737, 820, 856, 994
Macedon and Bristol plank road, bill for the release of the, from obligation to construct part of their road, 446, 460	
highway labor on the,.....	495, 668, 708
706	
Madiai, Francisco and wife, resolution of Mr. Beekman, in relation to the imprisonment of,.....	47, 67, 79, 103
Madison co., bill to extend time for collecting taxes in, 94, 99	
106	
bill for the clerk of to remove records of, to grand jury rooms,	318, 322, 354
Madison University, papers taken from files and referred, ..	225
Mahoney, Cornelius, petition for aid in furnishing the blind with music,	742, 748
Maine liquor law, petition for the passage of,.....	81, 84, 213
printing of report of committee on the,	275
Malone, bill to make village of, a highway, district, 848, 855, 941	
bill to appoint a police constable in,	1041
Manhattan Savings Bank, N. Y., second annual report of the,	131
Manlius, DeWitt and Cicero, bill for draining certain lands in,.....	398, 510, 1017
Manlius Plank Road Co., bill to abandon part of road, 536, 701	
718	
Manufacturing establishments, (see labor.)	
Manufacture of salt, memorial in relation to abuses in the, 866	
SEE [SENATE JOURNAL.]	147

Manufacture of salt, petition,	916
report of committee,	1049
Manufacturing corporations in Herkimer co., act to facilitate the dissolution of, 110, 199, 275, 280, 297, 339, 350	369, 785
to apply to Ithaca Cotton Co., 328, 339, 367, 422, 513, 530	(see Cayuga co.)
Manufacturing, mining, mechanical and chemical purposes, bill to amend act of Feb. 7, 1848, relating to the formation of,	533, 595, 690, 705, 726, 733, 757
Manor titles, petition of citizens residing on the manor of Rensselaerwick, for a law to enable them to contest the,	230
Marine Hospital, at Sandy Hook, resolution that the Commissioners of the Land Office report about site of the,	139
petition against proposed change in organization, ..	378
petition respecting the physician of the, 261, 308, 346	384, 408
(see Commissioners of Emigration.)	
report of Commissioners Land Office about site for the,	369
Marine court New-York, act in relation to the, 997, 1026, 1041	1100
Marine Insurance company, (see harbor N. Y.)	
Marine railway at the Sandwich Islands, under a grant from Hawaiian government, petition in relation to a law authorising the,	177, 178
Marine society, N. Y., petition for amendment of charter, ..	319
bill,	399
bill,	537, 737, 777, 798
Mariners' family asylum, annual report of the,	645
Market block in Oswego, notice of bill to sell certain lots in,	111
bill,	114, 128, 289, 298, 304, 337, 386, 395
Masters, mates, mariners and seamen, arriving at the port of New-York, (see moneys levied on masters, mates, &c.)	
an act in relation to moneys levied by law on, 325, 342, 367	415, 496
Maspeth Avenue & Toll Bridge, Assembly bill relative to the,	330, 370, 574
Masons, petition for an asylum for aged and indigent,	128
Massachusetts, act accepting the sovereignty and jurisdiction of, certain territory of,	1000, 1011, 1014, 1059
Mather, John C., Canal Commissioner, concurrent resolution from Assembly, to print 20,000 copies of the defence of,	826, 843
resolution from the Assembly, in relation to the impeachment of, and continuing the organization during trial,	988, 989
committee appointed,	994, 995, 999

- Matheson, James, deceased, petition of executors of, for proceeds of land sold in Delaware co., by Commissioners of the Land Office,** 177
- Mayor, aldermen, &c., of New-York, bill in relation to the powers and duties of the,** 819
- in laying out a public park in, 879, 892
- Mechanical sciences, (see schools and colleges,) committee having in charge that part of the Governor's message in relation to establishing colleges and schools for the promotion of,** 201, 202
- Mechanics & Marine savings bank, N. Y., Assembly bill to incorporate the,** 814
- Mechanics, better security of, (see Orleans and Niagara counties.)**
- (see Seneca.)
- (see Kings.)
- Merchants and others, bill from Assembly for the better security of, in Seneca co.,** 146, 704
- Mechanics and others erecting buildings and furnishing materials &c., act amending laws of 1852, entitled "An act for the better security of mechanics and others erecting buildings and furnishing materials," notice of bill,** 148
- bill introduced to amend act of 1852, in relation to mechanics in Westchester, Putnam, Rockland, Dutchess, Rensselaer, Chemung and Newburgh, in Orange co., 153, 307, 432, 474, 540, 780
- Kings co., bill from Assembly, 485, 621, 768
- (see Orleans and Niagara counties.)
- (see New-York.)
- Medina and Alabama plank road, Assembly bill making it a penalty to avoid gate No. 2,** 918, 1027, 1067
- Medal, commemorative of the public services of the late Mr. Clay, communication from citizens of New-York, presenting a,** 189
- resolution by Mr. Beekman, 189
- resolution, by Mr. Babcock, 189
- Medical inquiry and investigation, and for the better protection of burying grounds and cemeteries, bill from Assembly to promote,** 387
- petition, 409, 445, 611, 614, 624, 625
- Medical societies for the purpose of regulating the practice of physic and surgery in this State, Assembly bill to amend act to incorporate, passed April 10, 1813, 534, 559, 711**
- Meetings of the Senate, (see Senate,) (see session of Senate.)**
- Members and officers of the two Houses of the Legislature, notice of bill in relation to providing the, with stationary,** 46
- statistical list of the Legislature, 310

Merrill, John, petition of, for payment of balance due him on account of erroneous re-sale of lands by the State,.....	167
bill,	201
Message of the Governor, presented by his private sec'y, ..	4
resolution to print,	29
see resolution of Mr. Cooley in relation to the enlargement of the canals,	32, 43, 51, 119
resolution of Mr. McMurray, to refer Governor's message to committees,	52, 70
(respecting signing of bills, &c., see under title of bill.)	
Messages from the Assembly, (see titles of bills or subject to which it relates.)-	
Messengers to be furnished with pen-knives,	138
Methodist Episcopal church, Junius, bill to sell parsonage	533
	596, 718
Metropolitan fire insurance co., notice of bill to increase number of directors,	31
bill,	37, 38, 58, 60, 129, 136
Mexican ocean mail and inland co., to hold grounds for the transportation of mails, &c., bill,	625
bill to amend charter, 1069, 1073, 1080, 1092, 1069, 1073	
Mayor of Buffalo, bill concerning the, ...	300, 325, 346, 402, 471
Middleport, bill for bridge at,	723
Mile Square, resolution to obtain from Assembly relating to change of name of,	53
bill,	188, 219, 301, 308, 325, 349, 772
Miles, Geo. W. and Emily, bill noticed declaring, lawful heirs of Geo. Killum,	346
bill,	374
Militia, (see assessors,) (see fifty cent commutation tax.)	
notice of bill in respect to the organization of the, ..	31
bill in respect to the organization of the,	36
bill to authorise a regiment in fifth brigade, 31, 36, 59, 68	
	73, 208, 229
enrolment of the militia,	295, 305, 350, 447
bill to amend act for the enrolment of the, to abolish militia fines in certain cases, and to exempt members of uniformed companies from working on highways and serving on juries, passed April 16, 1851, and April 10, 1852,	295, 305
in the war of 1812, see resolution by Mr. Beekman, in relation to their pay,	251
resolution by Mr. Beekman, to print extra copies of report submitted by Brig. Gen. J. W. DePeyster, upon the European,	438
bill to provide for the enrolment of the, and the organization of uniform corps, and the discipline of the military forces of the State of N. Y., (code,) ..	453
	592, 601, 610.

Militia, act in relation to 49th regiment of the 23d brigade,	835
law, resolutions of supervisors of Franklin co., in	
relation to the,.....	50
commissioners to codify the, (see resolutions) ...	87, 139
report of the commissioners,.....	438, 453
in Richmond co., notice of bill in relation to the, ..	73
bill,.....	81, 110
Military commutation tax, (fifty cents,) notice of bill to re-	
peal the,.....	114, 124
Milton centre society, (see Lansing,) ministers property of,	
exempt from taxation, petition for repeal of law exempt-	
ing ministers from taxation,	166
Mining co., (N. Y. and Montgomery,) petition for alteration	
of charter,	118
referred to judiciary committee,	124
bill,	135, 232, 262, 275, 289, 303, 304, 392, 906
(see Montgomery.)	
Missouri, (see resolution of Mr. Babcock.)	
Missionary society of the Methodist Episcopal church, bill	
to amend act of incorporation,.....	745, 773
petition,	772, 798, 941
Mitchell, Hon. Wm., and others, petition for the pardon of	
Joseph Clark,.....	167
Mock auctions, bill from the Assembly to punish gross	
frauds and to suppress,	258, 385, 431, 455, 518
Mohawk, taxes in, (see Amsterdam.)	
Mohawk Valley Farmers insurance company, Assembly	
bill to change name,	815, 823
Moneys levied by law on masters, mates, mariners and sea-	
men arriving at the port of New-York, memorial	
for an act in relation to the,.....	325
bill,.....	342, 367, 415, 496
Monied institutions, act to prevent surprises at election of	
managers or trustees,	970
Mongaup, Forrestburgh, and Port Jervis plank road com-	
pany, Assembly bill,.....	878, 890, 902
Montague park association, Brooklyn, bill to incorporate	
the,.....	415, 513, 528, 662, 680
Monterey, Cooper's Plains, Painted Post, and Corning plank	
road company, Assembly bill to borrow money, 723, 802, 817	
902	
Montezuma turnpike and bridge company, Assembly bill	
to amend act of incorporation,	535, 622, 858, 862, 959
Montgomery co., to extend time for the collection of taxes	
in,	98, 221
bill to amend act for the support of the poor in, 391, 399	
431, 474, 539, 624, 1092	
Montgomery co., mutual insurance company, notice of bill	
to incorporate the,.....	87

Montgomery co., mutual insurance company bill,	93, 102, 177 275, 282, 285, 291, 469, 499, 645, 696, 742
Montgomery mining company, (see mining) bill to amend charter,	859, 887, 899, 940
Montgomery and Schenectady co's., bill to extend time for collection of taxes in,	98, 104, 106, 145, 221
Monroe academy, notice of bill to authorize the trustees of the,	712, 743, 770, 775, 940
Monroe co., work house in, Assembly bill,	398, 465, 484
Monroe, John, petition of, for relief,	45, 495
Monticello & Wurtsboro' plank road company, Assembly bill to purchase from the Newburgh and Cohecton turn- pike company, a bridge across Neversink river, 330, 560, 681 693	
Monthly abstracts of canal superintendents, bill to publish,	374 379, 395
Monument, (see American Independence.)	
Moose river and Swamp creek, Assembly bill, 514, 565, 821, 876 920	
remonstrance,	703
Moravia, bill to constitute the village of, a separate road district,	243, 263, 281, 286, 289, 292, 484, 498
Mortgaged property, notice of bill in reference to taxation of,	39, 88, 89, 135
Morgan Christopher, and T. M. Romeyn, bill for paying, for conducting certain investigation,	134, 479
Morgan, E. D., appointed president pro tem,	1114
Morris, James, deceased, bill from Assembly, relative to land devised by,	146, 168, 229
Morris, Robert C., petition of, asking redress from a sen- tence of a military court,	99
Morrisville, bill to amend charter of 1851,	996, 1038
Mount Morris, bill to amend act of incorporation, 397, 410, 441	
Mount Olivet Cemetery, notice of bill,	137
bill,	147
Murdock, Ebenezer, petition of, for pay for buildings taken by State at Lockport,	338, 371
Murdock E., and O. Turner, petition and papers taken from files and referred,	185
Mulford, Geo., bill to change name of,	485, 1042
Mullen, J., (see Watertown, legalizing elections in.)	
Municipal corporations, bill to restrict and regulate the power of, to borrow money, contract debts and loan their credit,	340, 536, 563, 771, 1065, 1092
Municipal government in Williamsburgh and Brooklyn, bill to consolidate the,	904, 931, 1004
Murray, Edward, petition of, for work on locks at White- hall,	96
bill,	198, 480, 550, 554, 596, 603, 662 680, 701, 1058
bill, damages,	534

Mutual Life Insurance, Co., N. Y., petition for relief against tax on certain funds, &c.,	252
Mutual insurance companies, Montgomery co., 86, 93, 102, 177 275, 282, 285, 291, 469, 499, 696, 742	
Chautauque co.,	128, 187
(see East river co.)	
petition in relation to election of directors in,	999
Mutual Loan and Accumulating Fund Asso., notice of bill to amend act in relation to building,	203
Myrtle Avenue and Jamaica Plank Road Co., bill to increase capital stock,	586, 705, 713

N.

National Guard Institute, petition for the incorporation of the,	364, 716
National Mining Co, petition for act of incorporation, 772, 801 823, 826	
Natural history, petition of John D. Russ, for act of incorporation of the society of,	156
bill,	403, 604, 622
(see benevolent, charitable, and missionary soc.)	
National University, resolution that papers in relation to the, be withdrawn from files of the Senate and referred to com. on literature,	49
communication from the Assembly, inviting the officers and members of the Senate to attend a meeting in behalf of the,	215
invitation to attend meeting,	222
Navigation companies, petitions, 951, 956, 1015, 1020, 1021	
bill, 991, 1020, 1021, 1039, 1061, 1069, 1073, 1075, 1081 1082	
Navigation of the ocean by steam ships, notice of bill to amend the act incorporating companies for the, ...	93
bills, 97, 102, 215, 247, 346, 364, 372, 419, 424, 469, 499	
petitions,	951, 956
Nelson, Peter, executor of James Matheson, deceased, petition for proceeds of land in Delaware co., sold by the commissioners of the land office,	177
Newark, (see Arcadia.)	
bill to amend act to incorporate the village of, 743, 816 961, 1092	
New Berlin and Brookfield plank road co., petition for increase of tolls,	30
bill,	730, 826, 849, 870, 1041
Newburgh, bill in relation to the Glebe lands in the village of,	67, 96, 99, 128, 202, 301, 307, 336, 352
notice of bill to supply water in, 67, 73, 77, 81, 82, 132 175, 181, 182, 216, 229, 984, 1060	

Newburgh, election of police officers in, bill, 67, 73, 103, 214, 224	246, 774
support of the pear in, bill, 73, 88, 176, 191, 204, 216	233, 379, 940
bill to amend act in relation to the village of, 92, 100, 118	128, 275, 277, 279, 484
petition for the better care of the poor,	681
notice of bill,	681
bill introduced,	686, 697
petition of water commissioners, to raise additional	
loans,	981
bill,	981, 984
Newbold, Thomas H., bill for relief of,	854
Newburgh academy, notice of bill to sell a lot of ground, .	50
bill,	55, 175, 181, 183, 484, 499
Newburgh & Ellensville plank road co., petition to abandon	
part of road,	45, 72
bill,	128, 295, 303, 338, 469, 499
Newburgh and Plattekill turnpike co., petition for repeal of	
charter,	300
bill,	304, 321, 339, 353, 780
Newburgh and Skawangunk plank road, petition to change	
terminus,	208
notice of bill,	223
bill introduced, . . .	227, 234, 301, 307, 325, 348, 458, 476
Newburgh and Cocheeton turnpike co., notice of bill to al-	
ter act of incorporation,	119
bill,	124, 327, 341, 356, 359, 618, 645
remonstrance,	213
Newcomb, Senator, permitted to record his name in the af-	
firmative, on final passage of the concurrent resolutions,	
for an amendment of the Constitution, relating to canals, .	509
New county from Cattaraugus, Chautauque and Erie, papers	
in relation to, sent to Assembly,	129
petition,	261
Newfield, Tompkins co., bill to annex part of to Catharine,	
Chemung co.,	349, 409, 537, 603, 750
New London plank road, bill to authorise to abandon part	
of road,	214, 220, 326, 391, 442
New Rochelle and Glen Cove ferry co., resolution for the	
House to send to the Senate papers relating to	
the,	32, 40
bill to establish a ferry from New Rochelle to Glen	
Cove, by Willet Secor, . 93, 97, 110, 255, 264, 266, 451	476
Newspapers, clerk to provide, for the Lt. Governor, and	
members and officers of the Senate, and pay post-	
age on, and also on doc.,	3
resolution by Mr. Bristol, that clerk furnish each	
officer of the Senate with, &c.,	40

Newspapers, in which to publish election notices, bill notified by Mr. Pierce, to limit the number of,.....	223
Newtown creek, remonstrance against additional draw bridge,.....	964
Newton, Isaac, in behalf the proprietors of the Peoples' Line of Steamboats, tendering the hospitalities of their steamboats to the Legislature,	886
Newtown bridge and turnpike road co., petition in relation to the,	754
Newtown and Bushwick turnpike co., bill,.....	922
Newtown, Long Island, petition for the 2d street Methodist church to hold real estate in,.....	76
New Utrecht and Gravesend railroad, notice of bill relative to the,	681
bill,.....	695, 715
New Windsor, (see Daniel A. Stewart, justice of the peace.)	
New-York railways in, bill to prevent injustice in the construction of, 31, 39, 77, 101, 107, 108, 111, 112, 115	116
Metropolitan fire insurance company, 31, 37, 38, 58, 60	129, 136
charter of the city of, bill to amend, (by Mr. Beckman,).....	39, 46, 186, 213, 484, 563, 582, 590, 808
Ladies' depository,.....	41, 50, 68, 82, 85, 185, 468, 499
taxes and assessments in, bill to simplify the manner of collecting arrears of, (see assessments in,) 50, 135	192, 301, 326, 516, 944, 946, 997
United States trust company in, 104, 110, 114, 215, 255	264, 279
Bank of America, annual report of,.....	55
Leake and Watts orphan asylum,.....	66
Northern dispensary of, annual report,	66
Pilots, bill in relation to, 76, 83, 143, 159, 217, 329, 408	559, 770, 942, 906, 910, 926
Broadway railroad association, 82, 91, 109, 119, 140, 142	155
raise money by tax, bill to enable supervisors to, 87, 92	159, 192, 266, 470, 497, 514, 521, 525, 603, 662, 680
893, 946, 958, 1060	
common council, powers of, and the police and criminal courts,	98, 100, 103, 132, 215, 234, 246
railroads, relative to, in the city of,	109
Seamen's fund and retreat,	111, 128, 133
public schools, (consolidation), 128, 132, 207, 264, 301	315, 349, 379, 756
building association, Fire insurance co., 129, 144, 252, 256	266
Manhattan savings bank, report,.....	131
Bank for savings,	134, 214

New-York, corn exchange,....	137, 148, 158, 200, 309, 340, 437
Phoenix bank, report,.....	150
police for the protection of the crystal palace, 151, 216	221, 237, 262
bill from Assembly in relation to the police department,.....	485
Irving savings institution, annual report,....	159
De Witt dispensary, annual report,	159
Clinton Hall association, 152, 159, 168, 228, 234, 247	258, 262
Ophthalmic hospital,	166
Seamen's bank of savings,	178, 179
Abuses in city government of,	186, 192, 213, 261
Division of 18th ward,	186, 379, 642, 690, 749, 768
Taxes in, remonstrance of Wm. B. Crosby and others against provision of annual tax for the payment of contingent and other expenses, (see assessments in,)	192
Reformed Dutch church, cor Green and Houston st's	233
	257, 288, 295, 351, 367, 374, 425
assessments in, (see taxes in N. Y.).....	245
live stock insurance company,	255, 376, 554
real estate in, relief of owners of, 257, 270, 302, 307	310, 314, 369
commissioners of deeds and notaries public,....	259, 271
commissioners of deeds in, (additional number,) 815, 887	
an act respecting elections other than for militia and town officers,	259, 272, 299
Marine hospital physician,.....	261
eye and ear infirmary, appropriation,	261
Second st. Methodist Episcopal church in, 76, 143, 145	289, 373, 527
hospitals, N. Y.,.....	302
dispensary in,	310
New-York hospital,.....	310
Fourth avenue, opening of, (see common council,)..	313
marine society,	319, 399
to regulate fees for searches in the county clerk's office in,	226, 323, 340, 360, 454, 579, 583
better security of persons crossing the ferries at, 328, 363	
emigrant passengers arriving at the port of, 329, 344, 364	368, 393, 408, 559, 684, 635, 646, 764
bill noticed at extra session,	656
bill,.....	812, 933, 956, 985, 1003, 1002, 1113
Emmanuel congregation,	330, 381, 596
notaries in, additional number,	323, 403, 764
harbor masters in,	334, 473
dry-dock co.,	377, 391, 435
city improvements and assessments in, 386, 434, 497, 515	

New-York, Bowery and 6th avenue, opening of the,	393
Bowery to the Battery to be opened,	393, 643
Sixth avenue, opening of, to Battery,	393
removal of certain records from surrogate's office, to Ulster co.,	396, 830, 911
Junior journeymen Caulkers' association, 397, 416, 433 474, 581	
bill to amend act for the more effectual prevention of fires in,	402, 404
Assembly bill,	919, 955, 1014
fire law, amendment of,	402
police justice, to file records of convictions of va- grancy,	447, 560, 609
Commercial insurance company, 448, 466, 673, 809, 812 827	
17th ward, division of,	451, 642
Sixpenny savings bank, N. Y.,	461, 595, 696, 750
Juvenile delinquents, 482, 603, 724, 736, 828, 890, 899 907	
..Broadway savings bank,	463, 511
court rooms, for 1st district court in, ...	463, 608
public place, see commissioners' map,	1082
park in 19th ward, N. Y., 476, 480, 561, 594, 952, 1112	
park, (Jones' Wood) in N. Y., 703, 722, 741, 742, 747, 772 773, 784, 785, 795, 822, 865, 866, 878, 892, 959	
Assembly bill to divide 19th ward, 533, 643, 751, 772, 807 824, 856, 879	
Marine society,	537, 737, 798
an act in relation, to the police department in the city and county of,	544, 568, 581
(see Blackwell's Island.)	
incorporated banks, &c.,	566, 595, 669
jurors in,	594, 602, 904, 941
U. S. Trust company in,	607, 644
Compensation and duties of counsel and attorney of the corporation,	622
alleged abuses in the city government of,	657
juvenile asylum,	695, 743, 777, 782, 1058
Judges Superior court,	747
assessors street department, compensation of, 755, 796, 846 850, 870, 872, 948	
Superior court, act relative to the,	770, 880
reservoir, (new,)	797, 940
Library in, for merchants' clerks,	806, 907, 921
Sixth judicial district, act to divide the,	815, 1049
park between 5th and 8th avenues,	822, 952
park, (Central) (see Jones' Wood,)	841, 857
mechanics' and marine savings bank,	844

New-York, harbor of,.....	548, 862, 866
(see wharves and piers.)	
invitation for the Leg., to visit the,	990
garden in,.....	859, 866, 1017, 1058
Grocers' steam sugar refining company, 863, 866, 899,	957 1113
mayor, aldermen, &c., powers and duties of, in lay- ing out a public park, 869, 1097, 1098, 1104, 1105,	1112
Superior court, court of common pleas, and Marine court, act in relation to;	770, 880, 934, 954, 967
wharves and piers in harbor of,.....	933
Assembly bill to amend act for the better security of mechanics and others erecting buildings and fur- nishing materials therefor in the city and county of,.....	936, 1043
clerks and messengers in the tax commissioners' of- fice,	937
savings banks or institutions for saving in,.....	940
Marine court in,	997, 1026, 1041, 1100
register of deeds in, act in relation to the, 1041,	1063 1096
Assembly bill to alter commissioners' map, by lay- ing out a public place, &c.,	1082, 1097, 1099, 1103
New-York academy of medicine, Assembly bill to amend act of incorporation, passed June 23, 1851, 536, 559, 710, 750	
New-York Baptist Union for ministerial education, to in- crease number of trustees, Assembly bill,.....	813, 858, 959
New-York Central railroad company, act relative to the,	1075 1078
New-York Central college, Assembly bill, authorising tru- stees to sell a mortgage,.....	918, 921, 932, 1063, 1100
New-York Central insurance company, Cherry Valley, As- sembly bill to amend charter,	919, 1113
New-York & Erie railroad, petition for law prohibiting the, from being diverted into the State of New-Jersey,	109 110, 114, 122, 186
notice of bill to consolidate with other roads,.....	119
resolution, by Mr. Conger, that President report copies of certain leases,	190
remonstrance against tolls on,	497
New-York & Erie railroad, Assembly bill,.....	935, 995
New-York Homeopathic association, petition for act of in- corporation,	157
bill,	386, 431, 563
New-York & Harlem railroad company, bill to amend act of 1840, relating to the,	63, 91, 200, 220, 223, 230, 295
New-York institution for the blind, (see institution for the blind.)	

New-York institution for the deaf and dumb, bill to confirm sale of property to the,...	420, 432, 443, 458, 476
life insurance co., memorial of Peter Cooper, and others, in relation to election of trustees,	969, 999
New-York and Montgomery mining co., petition for alteration of charter,	118
committee discharged from further consideration, and referred to judiciary committee,	124
bill,	135, 232, 262, 275, 289, 303, 304, 392, 395, 906
mutual insurance co., memorial of S. Nicholson, in relation to the,	969
State agricultural college, bill to incorporate the,	445, 464
laws, documents, &c., to be placed in library of the,	915, 945
State and National law school, bill to amend act of incorporation,	396, 420, 435
State lunatic asylum, (see State lunatic asylum.)	
New-York and Virginia Steamship co., notice of bill to amend act incorporating the,	111
bill,	115, 151, 225, 230, 234, 237, 484, 493
New-York volunteers, petition of officers, for reorganization of that regiment,	109
bill,	300, 430, 522, 553, 771
New-York to Fort Hamilton, petition for a ferry from, ..	307, 445
Niagara co., bill to extend time for collecting taxes in, ..	94, 99, 106
Niagara falls, (see suspension bridge,) (see Niagara falls international,) foot bridge at,	67, 118, 157, 264
Niagara falls house company, bill to amend act of formation of the,	462, 474, 589
Niagara falls ship canal co., (see joint stock co.) bill to incorporate the, ..	837, 868, 915, 916, 924, 933, 947, 974
petitions,	975, 1013, 1027, 1030, 1053
international bridge, (see suspension bridge,) resolution to take from files, petitions, &c., for amendment of the charter of the,	878, 885, 893, 917, 921
remonstrance and petition,	67
bill for bridge,	118, 157
village, bill to amend act incorporating villages, passed Dec. 7, 1847, so far as relates to,	264, 826, 841, 849, 908, 1112
Niagara river, bill for improving the,	867, 891, 1011, 1059
bridge across the, near Niagara falls,	607, 620
bridge co., bill to incorporate,	869
reservation, (see W. S. Haight,) bill authorising the sale of lands on the,	900
Nineteenth Ward, N. Y., bill to divide the,	705, 720, 723, 736, 766, 812
memorial,	533, 856, 874
resolutions of common council,	772
Niles, Richard, bill for relief,	807
	1059, 1075

Non-resident taxes on lands in Warren, Essex and Hamilton, bill in relation to,	445
Non-imprisonment act, petition to amend the,	916
Normal school, invitation to the Legislature, to attend closing exercises of the,	1911
North branch of the Hudson river, in Warren co., resolution to send to the Assembly for papers relating to bridge across the,	41, 70
North Dansville, bill to borrow money, to aid construct railroad,	331, 558, 562, 602, 702, 996, 999, 1029
act to provide for certain expenses for railroad purposes in town of,	996
Northfield, Richmond co., petition for an extension of time for collecting taxes in,	240
North Hempstead, Queens co., bill from Assembly relative to common lands in,	146, 277, 429, 604, 717
(see South Hempstead.)	
Northern Christian Advocate, Auburn, bill to incorporate the,	331, 340, 430, 454, 581
Northern dispensary, N. Y., annual report of trustees,	66
jury district, Washington co., bill relative to the,	449, 560
	613
turnpike, (see turnpikes.)	
Notaries public, petition that, may administer oaths for general purposes,	240
reported against by committee,	254
(see commissioners of deeds.)	
additional number in New-York,	333, 403, 764
Nixon, George Wm., bill to change his name,	146, 168, 336, 340
	353
Noyes, Mary E., bill to change name,	334, 385, 537, 599
Nyaek turnpike co., papers taken from files and referred, ...	37
resolution for the Assembly to send papers to the Senate, relating to the claim of,	40
(see State road, from Orange turnpike to Nyaek.)	

O.

Oak Orchard, bill for bridge over,	881, 888, 962, 967, 976, 1093
Oak Point ferry, (see Hammond.)	
Oath, constitutional, (see Constitution.)	
Obstructions in the Hudson river, report of State engineer and surveyor in relation to the removal of,	136
Obstruction to railroad cars, bill in relation to, (see railroads.)	
Odd Fellows' lodge at Gowanda, Cattaraugus co., petition for a law to hold and convey a piece of real estate,	186
Officers to be furnished with pen knives,	138

Officers, bill to require certain, to give security for the performance of their duty,	450, 474
Officers, and other expenses of the Senate and Ass., bill relating to the compensation of 69, 199, 391, 498, 604, 771, 787	
Officers of the Legislature, (see clerks and other officers.)	
(see stationery for.)	
(see compensation of officers.)	
(see documents.)	
Ogdensburgh, bill extending boundaries, 399, 430, 537, 561, 684	
Oneida castle, bill for separate road district,	485, 495, 686
Oneida co., bill to levy a tax of \$1,500 to build court house in Utica,	79, 85, 210 227, 228, 343, 349, 351
petition for the raising of, \$1,500,	156, 192, 196
petition of citizens of, for a law to relieve certain school officers,	883
(see justices of the peace.)	
supervisors of, to levy a tax in town of Western for roads and bridges,	500, 577
Oneida Conference Seminary, petition for an appropriation to the,	73
report of committee against,	640
Onondaga co., bill for the safe keeping of the public records of,	223, 235, 327, 340, 356, 369
settlement of claims of the late treasurer of, 389, 392, 436	
Onondaga Indian reservation, bill to survey the land in, and appoint commissioners to divide and sell,	445
bill for an appropriation to repair road across the, 446, 466	
512, 926, 932, 1011	
Onondaga salt springs, printing of report of the,	275
Ontario co., bill for supervisors to sell court house, ..	1081, 1096
Ontario and Steuben cos., bill to transcribe records of, and deposit in clerk's office of Yates co, 258, 381, 431, 455, 711	
750	
Opening of locks and running boats on canal on Sunday, petition for a law prohibiting the,	30
Ophthalmic hospital, N. Y., petition for an appropriation to the,	166
Orange co., notice of bill to transcribe part of the records of, and deposit in county of Rockland,	46
bill,	55, 63, 69, 74, 624, 645
Orange turnpike, State road from, to Nyaak, (see State road.)	
Orangeville, Wyoming co., notice of bill to extend time for collection of taxes in,	86
bill,	93
Organization of militia, notice of bill for the,	31
bill,	36
Organization of the Senate at the capitol, Jan. 4, 1853,	3
Orleans co., clerk of to transcribe records of Genesee co., 258, 271	
327, 455, 517, 867	

Orleans & Niagara counties, Assembly bill for the better security of mechanics in,	814, 931
Orphan asylums, Leake & Watts, N. Y.,	66
Senate invited to attend the exhibition of the children of the Albany,	69
Hudson,	348, 371, 436
(see Auburn.)	
O'Reilly, Henry, memorial of, in relation to right of way for all telegraphers,	143, 149
Otsego co., bill extending time for collecting taxes in,	94, 99
	106
Osceola, Assembly bill in relation to burying grounds in,	500
	522, 610
Oswegatchie & Grass river, Assembly bill to improve the,	533, 595
	916, 920
Oswego, notice of bill to authorize the city of, to sell certain lots in Market block, in said city,	111
bill,	114, 128, 289, 298, 304, 337, 386, 395
excise commissioners, bill from Assembly,	213, 318
bill to amend common school law in,	686, 765, 774, 816
bill to amend act of incorporation,	334, 363, 381, 394
to take stock in railroads,	388, 473, 558, 562, 602, 701
common schools in,	95, 118, 289, 308, 337, 468, 499
sale of gospel and school lots in,	131, 137, 147, 158, 290
	298, 303, 318, 468, 499
Oswego canal, Assembly bill in relation to the,	378, 424, 556, 563
	626
(see canals.)	
Assembly bill for the enlargement of Erie and Oswego,	875
Oswego loan, (see canal revenue certificates.)	
Oswego Congregational society, Assembly bill to change title,	231, 403, 537, 617
Oswego & Syracuse railroad, and Syracuse & Binghamton, (see Syracuse & Binghamton.)	
O'Sullivan, John, petition of, for an investigation by the Assembly,	127
question of privilege by Messrs. Cooley and McMurray, in relation to communication of,	141, 154
resolution of Mr. Babcock, committee discharged,	142, 155
Overing, Henry, petition of, for re-imbursement of his expenditures in defense of a certain litigation,	66, 385
Ovid, petition for amendment of charter,	429
Assembly bill to amend charter,	446, 464, 682, 801
remonstrance,	510
petition to grant licenses by trustees,	795
remonstrance, against granting licenses,	795
Owasco outlet, Assembly bill to complete improvement of the,	532, 559, 613

Owego, Assembly bill amending act of incorporation,	377, 386
	510
resolution to report complete,....	510, 599, 629, 645, 712
Ox Bow & Evans' Mills, plank road company, notice of	
bill to make an assessment on stockholders,.....	170
bill,.....	180, 199, 226, 241, 250, 452, 476
Oxford fire company, bill from Assembly to amend charter	
of the,.....	94, 100, 177, 184
Oxford village, bill from Assembly, act to amend charter,	209
	234, 327, 341, 352
Oysters in Harlem river, petitions and bill in relation to,	306
	310, 379, 536, 561, 601, 909

P.

Pacific mail steamship co., (see steamships,) notice of bill	
to amend charter,.....	203
bills,.....	223, 242, 302, 308, 325, 355, 469, 499
Packer institute, bill to incorporate,	123, 132, 289, 302, 308, 311
	322
Pelletreau, Isaac W., bill from Assembly, confirming the	
official acts of,.....	376, 381, 439
Palmyra, bill in relation to school district No. 1, ..	749, 770, 775
bill to amend act of incorporation,.....	813, 824, 913
Palmyra bank, bill to change name of the,	290, 297, 301, 325
	349, 618, 645
Palmyra & Pultneyville plank road company, Assembly	
bill in relation to the,.....	937, 971, 1068
Palmyra Union school, petition to be placed under the care	
of the Regents, see (Palmyra,)	695
Papers, books and land warrants, bill, &c.,.....	53, 93, 97
Park, (Central) N. Y., petitions for,	841, 857
Park in N. Y., between 5th and 8th avenue, memorial,....	822
Park in 19th ward, New-York, Assembly bill for a,	476, 480, 561
Park on Brooklyn Heights, petition in relation to a,....	233, 241
Partition of lands, Assembly bill to amend act of April 14,	
1852, in relation to the,	462
bill to amend act in relation to the,	102, 167, 275, 577, 581
	704
Parishville to Long lake, bill to provide for laying a road	
from,.....	334, 842, 359
Passengers, way, (see railroad consolidation.)	
Passengers on railroads, notice of bill to provide for the bet-	
ter protection of,	38, 84, 188, 1094
Patten, Franklin J. and Albert, resolution to take papers	
from files and refer to com. on claims,.....	98
committee discharged and referred to comon claims,	123
Patterson, Jemima, bill to release lands to,	500, 560, 735
Patten, James W.; bill for relief,...	1101

Pattern makers, petition for protection to,.....	38
bill noticed,	39
bill,	46, 96
Pay to clerks and other officers of the Legislature, notice of bill in relation to increasing the,	46
Peace Society, American, (see American Peace Soc.)	
Peckham, Lucien P., report of com. adversely to granting prayer of petitioner,	150
Penitentiaries, Albany penitentiary,	398, 404, 964, 965
Erie co.,	935, 1008, 1059
Kings co., petition in relation to fees in the,	45, 179
motion to refer to select com.,	225
report of select com. and bill,	256, 264, 267, 484, 498
Penknives, resolution that the clerk furnish each Senator, officer, reporter and messenger with,	138
Pennsylvania Coal Co., bill to construct part of road in this State,	784, 823, 826, 850, 874
Penn Yan Savings Bank, bill to incorporate the, 935, 1010, 1012 1060	
bill to amend act of incorporation,	175, 202, 222
People's College, bill to incorporate the,	451, 498, 610
People's Ferry Co., bill,	240
People's Bathing and Washing Asso., petition for increase of capital,	150
bill,	201, 301, 309, 325, 348, 786
People's line steam boats, (see Isaac Newton.)	
Pepper, Wm., resolution to allow him \$1.50 per day for ar- ranging the Senate library,	57
Perpetuating of testimony, (see testimony.)	
Persons in the employ of the State, (see compensation.)	
Personal property, notice of bill with reference to taxa- tion, requiring a return to the assessors under oath, 39	
bill to obtain full and complete returns of, ..	88, 135, 187
Percy, John, of Albany, petition for an examination of the merits of his new railroad track and break,	201
Perry, bill to amend act of incorporation,	891, 899, 912, 944
Persia, bill in relation to road district in, ..	486, 595, 1005
Petford Henrietta, bill for relief of,	388, 732
Pettibone, Jacob, and N. Smith, petition for canal damages, 123	
Phoenix, bill to construct a road bridge over the canal at, 397 716, 726, 803, 843	
bill to amend act of incorporation, ...	814, 888, 962, 1060
Phoenix Bank, N. Y., annual report of the,	150
Phillipsville and Belfast Plank Road Co., bill, . .	937, 985, 1039
Physician of marine hospital, (see marine hospital.)	
Phillips, John C., resolution to send to the Assembly for pa- pers relating claim of,	44
Phillips, John C., reported against,	201
petition to be returned to petitioner,	259

Pickersgill, Wm. C., petition to hold real estate,	118
Pierpont, W. C., president Watertown and Rome railroad, petition of for relief,	134
Pierce, Senator, resolution, directing committee appointed March 22, 1852, on conduct of, to report,	419
Pilots in New-York, remonstrance and petitions in relation to,	76, 83, 143, 150, 217, 408
bill from Assembly,	329, 485, 559, 770, 780, 825, 841 842, 906, 910, 926
Pine Plains, petition for a law to protect evergreen ceme- tery in said village,	865, 869, 889, 899, 908, 940
Pittsford, supervisors of Monroe co., to raise tax upon town of, for bridges,	750, 776
Plank roads, (see general plank road law,) petitions for in- crease of tolls on,	30, 66, 291, 829
equalization of tolls on,	820
Delaware, to sell rights on,	36
Newburgh and Ellenville,	45, 72, 128, 295, 303, 338 469, 499
Watervliet, to amend charter, and abandon part of road,	46, 67
Buffalo and Batavia,	62, 91, 118, 255
Albion, 66, 131, 134, 144, 152, 278, 285, 289, 302, 663, 680	
plank roads & turnpike co.'s, act to amend act of May, 1847, providing for incorporation of, 124, 255, 302 373, 420, 793, 807, 812, 845, 942, 1066, 1106, 1113 (see general plank road law.)	
OxBow and Evan's mills, ...	170, 180, 199, 226, 241, 250 452, 476
Lowville and Carthage,	172, 178, 325
West Martinsburgh and Copenhagen,	178, 213
Fredonia and Sinclairville,	202, 220, 301, 307, 331
Newburgh and Shawangunk, 208, 223, 227, 234, 301, 307 325, 348, 458, 476	
New London, abandon road,	214, 220, 326, 391, 442
Rochester and Webster,	216, 220, 224
Schenectady and Duaneburgh, ...	226, 234, 366, 372, 427
notice of bill by Mr. Clark, in relation to,	227
in Clinton and Essex co.'s,	245, 248
Salina, Liverpool and Clay,	56, 59, 256, 327, 371, 426 484, 499
Addison and Elkland,	272, 287
Jordan and Skaneateles,	402
Bristol center and South Bristol, 404 ..	410, 424, 440, 772
Macedon and Bristol,	446, 460, 495, 668, 706, 708
Hammondsport and Bath,	447, 512, 538, 563, 608
Camillus and Marcellus,	447, 492, 591
Clyde and Rose,	447, 565, 590
Cazenovia and Chittenango,	447, 465, 591

Plank roads, Salmon river,.....	397, 465, 537, 562, 698
Ransomville,.....	484, 511, 538, 565, 628
Brooklyn, Flatbush and Carnarale,....	535, 584, 950, 956 1019, 1040
Manlius,.....	536, 601, 718
Myrtle avenue and Jamaica,.....	536, 705, 713
Monticello and Wurtsboro,.....	330, 500, 681, 693
bill in relation to,.....	573, 596, 668
bill to amend act of April 15, 1853, in relation to,...	696 722, 724, 726, 868, 889, 893, 899, 907
Rome and Madison,.....	703
Angelica and Belvidere,.....	618, 715, 743, 761, 796
New Berlin and Brookfield, .	30, 730, 826, 849, 870, 1041
Port Jackson and Union Falls,	743
Delaware and Susquehanna,.....	781, 786, 795, 798, 940 (see Essex and Clinton.)
Richmondville and Summit,.....	816, 821, 854
Monterey, Cooper's Plains and Corning,.....	723, 802, 817, 902
Cedarville and Schuyler lake,.....	867, 922, 962
Williamsburgh and Cypress hill,	867, 932
Mongaup and Port Jarvis,.....	878, 890, 902
in Carrollton,	880, 890
Frewsburgh,	880, 890, 1013
Hermon,	880, 932, 1031, 1038
Lansingburgh,	890, 899, 901, 1037
Central Square and Pine,	918, 932, 1009
Medina and Alabama, ...	918, 1027, 1067 (see Clinton and Essex counties.)
Exemption of, from taxation,	257
Palmyra and Pultneyville,	937, 971, 1068
Havana and Newfield,	937, 971, 1006
Phillipsville and Belfast,.....	937, 985, 1039
High bridge,.....	938
Flatbush,	1094
Plattsburgh, bill to amend act of incorporation, ..	338, 463, 537 559, 630
bill, supervisors to convey a lot,.....	1041, 1067
Platt, Senator, resolution for committee appointed in 1852, to report in relation to charges against,.....	419, 1105, 1110
Plank road and turnpike co.'s, bill to amend act incorpo- rating,.....	124
Police of the Crystal Palace, (see industry of all nations.) (see Crystal Palace.)	
Police and criminal courts of the city of New-York, (see common council of N. Y., powers of.)	
department, N. Y., (see New-York.)	
expenses in 8th and 9th wards, Brooklyn, bill to au- thorise a tax for,.....	500, 598, 701
justice, bill to file records of convictions of vagran- cy,.....	447, 560, 609

Police justice, in Poughkeepsie, bill,.....	813, 858, 1005
in Lenox, (see Lenox.)	
Police justice in Rochester, bill to elect a,	485, 511, 612
Police officers in Newburgh, bill noticed,	67
bill,.....	73, 103, 214, 234, 246, 774
Polytechnic Institute, Rensselaer, petition of trustees,.....	166
Pomfret, collection of taxes in,.....	218, 237, 262
Pomeroy Medad, resolution that the clerk return to, a map now on Senate files, which was introduced into the Senate on a claim to this body last session,	185
Poor, support of in Newburgh, 73, 78, 88, 176, 199, 204, 216, 323 379, 681, 686, 697	
(see superintendents of the.)	
support of, in Montgomery co., 391, 399, 431, 474, 539 624, 645	
memorial from N. Y. for improving the condition of the, and for care of street children,	616
Poor laws, amendment of the,	642, 30
secretary of state to publish the,	401, 418, 493
Pool, Byron, and A. Medbury, petition of, in relation to a correction of an appraisement of damages in the case of Oliver Pool, deceased,.....	30
Poor house, Sullivan co., bill in relation to the,	486, 510
Ulster co., (see Ulster co.)	
Pool, Oliver, deceased, petition for correction of an appraise- ment of damages in the case of	30
resolution to take papers of, from files of House and refer,	31
resolution to receive, papers of, from Ass.,	44
bill,	196, 480, 571, 781
Port Henry furnace, bill to incorporate the,..	485, 557, 571, 623
Port Jackson and Union Falls Plank Road Co., petition to discontinue part of their road,.....	748
Postage, clerk to pay postage on documents and newspapers, 4, 40	
Potsdam, bill to amend charter,.....	534, 627
act to provide for election of a fifth justice of the peace,	116
	151
Potsdam and Watertown Railroad, bill authorising the at- torney general, to discharge a judgment against the,	450
	469
Poughkeepsie, police justice,	813, 858, 1005
Aqueduct and Hydraulic Co., bill to incorporate the	445
	470, 583
Printing, resolution to print 5,000 copies of governor's mes- sage for the Senate,	29
committee to revise rules,	36
communication from inspectors of State prisons,....	36
2,000 copies of the report of railroad com., and 500 for engineer,.....	57

Printing, regents of the university, order to print extra number,	62, 67, 91
motion to print the Madai resolutions,	67
joint rules, motion to print report of committee to revise,	68
railroad accidents, report of com. 2,000 extra copies ordered printed,	69
claims, report of committee on, to be printed,	74
spirituous liquors, res. to print report of com. in relation to the traffic in,	91, 78
State prison inspectors, res. to print 1,000 extra copies of report for the use of inspectors and prisons, also 2,000 extra for inspectors,	78, 79, 144
motion to print bill to unite and consolidate railroads,	133
message relating to printing 15 copies of canal commissioners' report for each member of Ass. and Senate and 1,000 copies for commissioners; also 16 copies of report of State engineer and surveyor on canals for each member of the Ass. and Senate, and 1,500 copies for engineer; also the printing of 500 additional copies of canal com'rs report for com'rs, report of comptroller in relation to expenses of the Colonial History,	136
message from the Ass., that the House had ordered 500 extra copies of the report of managers of the house of refuge,	152
bills to be printed and returned in order, received from the clerk,	160
300 copies of adjutant general's report to be printed,	171
	193
the Ass. ordered the printing of 3 extra copies of report of trustees of Idiot asylum, for each member of House, and 500 for trustees,	172
res. by Mr. Pierce, in relation to assessments and valuations, &c.,	180
report of Emigrant Commissioners, 250 copies for use of Commissioners,	188, 193
report of select committee, on Cayuga marshes,	202
2,000 copies of report of annual report of the managers of the N. Y. Lunatic asylum,	206, 284
400 extra copies of report of trustees of State library,	257
resolution by Mr. Clark, to print 1,500 extra copies of Mr. Ward's bill to prevent sale of intoxicating drinks for the use of Senate,	274
message from Assembly, that the House had ordered the printing of 5 copies of the minority report of the committee of ways and means, for each mem-	

ber, and 500 copies for committee; also, 50 copies for each member of the Leg., of report of committee on internal affairs of towns and counties, on Maine law; also, 1,000 copies of report of Onondaga salt springs, and documents for use of superintendent, and 300 for use of salt committee; 1,000 copies of the transactions of the State Medical society, for the Leg., 1,000 copies for society, and 3,000 copies of the address for the use of the Legislature,	275
Printing report of Adjutant General, in relation to clerk hire in his office,	282
report of select committee on the subject of canals, to which was referred a resolution to amend Constitution,	285, 286, 287
resolutions of Mr. Bristol, to amend the Constitution, in relation to the canals, &c.,	293
report of Auditor, in answer to resolution about payment of claims and not being charged to Canal Debt Sinking Fund,	301
by the Assembly, of 500 copies of the report of canal committee, for said committee, and 10 copies for each member of the Leg.; also, 6 copies for each member of the report of commissioners, to examine the N. Y. city hospitals,	302
10,000 copies of minority report of committee on constitutional amendments, (report by Mr. Pierce,)	304
statistical list of members and officers of the Assembly,	310
tells on railroads, bill to be printed,	311
1,000 extra copies of report of inspectors of State prisons, for their use,	311
memorial of trustees of Union College,	338
affidavits, &c., relating to Union College investigation,	344, 364, 368, 483
report of Attorney General about clerk hire in his office,	389
report of Auditor in relation to charges against canal superintendents,	390
memorial of officers of Trinity church,	394
report of Engineer and Surveyor, in relation to freight on railroads,	405
report, (annual) of Canal Commissioners,	415, 466, 468
report Commissioner Fitzhugh,	415, 466, 468
report of State Engineer on railroads,	415, 466, 468
report of the commissioners to codify the militia law,	438
report submitted by Brigadier General, J. Watts De Peyster, upon European militia,	438

Printing, bill from Assembly, laying out a public park in New-York,	480
documents accompanying report of State prison inspectors,	787
report of Commissioner Mather, in relation to the business of the Champlain canal,	819, 823
resolution from Assembly to print the defence of John C. Mather, Canal Commissioner,	826, 843
majority report of select committee, in relation to Jones' Wood and Central park, N. Y.,	878
Practice and pleadings, resolution, (concurrent) from Assembly, in relation to report of the commissioners on, ..	819
President of the Senate, called Senate to order and organised,	3
to appoint a committee to wait upon the Governor, and inform him that the Senate was ready for business,	3
absence of the,	76
Hon. Wm. McMurray, appointed president pro tem, ..	76
committee to notify the Governor and Assembly, ..	78, 79
President pro tem, E. D. Morgan appointed,	1114
adjourned the Senate sine die,	1116
Prevention of fires in New-York, bill noticed to amend act for the more effectual,	402, 404, 919, 955, 1014
Prichard, Henry K. S., petition to hold real estate,	38
bill,	77, 175, 199, 204, 437, 476
Process, bill to facilitate the service of, in certain cases, ..	853, 869
902, 940, 964, 1039, 1062, 1108	
Proof of the payment of debts, notice of bill to facilitate the,	56
bill,	82, 103, 515
Property of clergymen, petition for repeal of law exempting \$1,500 of, from taxation,	166, 747
Protestant Episcopal church, (see Episcopal church.)	
Protection to pattern makers, petition in relation to,	38
bill noticed,	39
bill,	46, 96
Prevention of wanton and malicious mischief, Assembly bill to,	919
Private roads and discontinuing public highways, Assembly bill in relation to,	449, 464, 611
Privilege—question of, (see questions of privilege.)	
Public health, notice of bill to preserve the,	100
bill, 104, 114, 213, 271, 295, 299, 366, 430, 455, 540	
(see emigrant laws.)	
communication from the Governor,	754
Public highways (see highways.)	
river Saranac,	396, 430

- Public instruction, (see town superintendents of common schools.)
- Public officers, (see bribery.)
- Public park, N. Y., (see N. Y.)
 (see 19th ward, N. Y.)
- bill,..... 869, 959, 1097, 1098, 1104, 1105
 (see mayor, aldermen, &c.)
 (see New-York.)
- petition for converting property known as Jones' Wood, into a,..... 703, 741, 865
- memorial,..... 722, 772, 773
- remonstrance, 741, 742, 747, 784, 785, 795, 822, 841, 866
- report of majority of select committee, 866, 878
- report of minority of select committee,..... 878
- Public school policy, report W. L. Crandall, to be printed, 1106
- resolution in relation to printing the report of W. L. Crandall, on the, 1109, 1114
- Public records in Onondaga co., bill from Assembly for safe keeping of the,..... 223
- Public schools, N. Y., memorial of board of education of the, 128
- bill, ... 132, 207, 264, 301, 315, 349, 379
- Public schools, (see Oswego.)
- Public works, (see resolution by Mr. Pierce.)
 (see canals.)
 (see State debts.)
 (see labor on.)
- Publishers, &c., of newspapers, notice of bill in relation to libel suits against, 98
- bill, 97
- Pulaski, Assembly bill to consolidate school district in, and amend act of incorporation, 397, 469, 473, 537, 562, 688, 723
- Punishment of crimes in certain cases, see Albany co., penitentiary, under penitentiary.
- Punishment for assaults, (see assaults.)
- Parity of legislation, resolution by Mr. Wright, that no member vote on bills when interested therein, 172, 181
- Putnam co., resolution and memorial of supervisors of, that the expense in the trial of Wm. Somers for murder, be reimbursed to it by Dutchess co.,..... 128
 (see bill entitled "An act for the reimbursement to counties, of the expenses of criminal proceedings in certain cases.")
- Q.
- Quackenbush, Isaac J., and others, petition of, for damages, 114
- adverse report of committee,..... 187

Queens co., petition for locating and constructing a new court house in,	243, 253, 324
remonstrance,	288, 368
bill,	285, 313, 319, 338, 344, 346, 458, 543, 568
Quinn, George, petition for relief,	217
Question of privilege, Mr. Cooley rose in his place to a, imputations against Senators contained in a communication from J. L. O'Sullivan, presented on the 1st, inst., by the senator from the 7th district,	141
Mr. McMurray, relative to the petition of John O'Sullivan,	154
Mr. Platt,	1105, 1110

R.

Rackett river, bill for improvement of, 826, 371, 481, 513, 562	989, 916, 920
Raffling and and lotteries, bill to amend R. S. in relation to, 825	1040, 1064
Railroads, (see general railroad law.)	
Atlantic and Pacific, 31, 37, 39, 49, 57, 87, 92, 101, 117	121, 129, 126, 127, 130, 137, 140, 142, 143, 149, 155
	179, 182, 193, 194, 207, 237, 472, 786, 794, 828, 892
two or more, to unite and consolidate, 36, 46, 59, 68, 76	80, 82, 88, 117, 121, 122, 124, 133, 154, 160, 168, 296
	375, 476
of passengers, 38, 84, 188, 191, 200, 209, 230 383, 391, 392	400, 416, 442, 1094
Salina, Liverpool and Clay, for relief,	56, 59
Harlem, bill to amend act of 1852,	60, 214
New-York and Harlem, ...	63, 91, 200, 220, 222, 230, 295
Division Avenue, between Brooklyn, Williams-	
burgh, and Bushwick, 76, 744, 817, 830, 841, 903, 924	
Staten Island and Ferry Co., ...	91, 99, 176, 199, 205, 396
in the city of New-York, relative to,	109
New-York and Erie, diversion of, into New-Jersey, 109	110, 114, 122, 124, 186
to consolidate with other roads,	119
president to report leases,	190
Watertown and Rome railroad, 134, 137, 147, 187, 298	304, 744, 752
Albany and Susquehanna, 152, 159, 167, 233, 275, 276, 277	278, 280, 331, 479, 765
Broadway Association, ...	83, 91, 109, 119 140, 142, 155
Freight carried on,	46, 174, 219
Marine railway at the Sandwich Islands,	177, 178
Lebanon Springs, ...	215, 220, 222, 242, 249, 314, 322, 323
From the head of Seneca lake to N. Y. & E. railroad	
in Chemung co.,	227, 245, 255, 366, 373, 458
	476

Railroads, see resolutions of Mr. Babcock, in relation to	
granting lands by the general government,	185
Buffalo and New-York city,	259, 535, 580, 950
stockholders of, to make payments upon mortgages,	265,
296, 721, 724, 726, 776, 827, 941	
directors of, and way fare on,	269
Buffalo and Pittsburgh,	296, 302, 761, 787, 797, 941
roads and streets across,	303, 396
tolls on, bill to be printed,	311
tolls on, (see State debts.)	
tolls on, remonstrance against, ...	319, 346, 524, 594, 616
Oswego and Syracuse, and Syracuse and Bingham-	
ton, bill to consolidate their stock,	323
bill,	328, 414, 528, 618, 644
petitions to repeal law abolishing tolls on, and pas-	
sage of bill levying tolls on,	324
Lewiston,	325, 355
branch tracks,	272, 288, 327, 340, 349, 355, 467
Buffalo and N. Y. city,	935, 950, 963
petitions for tolls on,	346, 494
remonstrances against tolls on, ..	497, 510, 557, 622, 640
bill to equalize assessments of,	439, 458, 537, 736
report of State Engineer, on,	415, 466, 468
railroad corporations to take stock in the: Whitehall	
and Plattsburgh,	445, 495, 522, 525, 580
Potsdam and Watertown, (judgment)	450, 469, 530
New-York and Erie,	935, 995
bill to provide for the greater safety in the running	
of,	462, 617
New Utrecht and Gravesend,	681, 695, 715
memorial and resolutions of chamber of commerce,	
N. Y., in relation to amendment to the Constitu-	
tion and tolls on railroads,	494
bill relative to the reports and contracts of certain	
railroad corporations,	502, 545, 592, 1002
Attica and Allegany valley, 524, 543, 601, 718, 941, 954	
Long Island,	558
Sacketts Harbor and Saratoga,	608, 675
Free tickets on,	640
bill to authorize companies to take the stock of the	
Sodus point and Southern, 681, 686, 695, 720, 722, 732	
738, 796, 808	
bill in relation to fencing, 625, 705, 749, 757, 796, 806, 816	
Central line of railroads, invitation to the Legislature	
to take an excursion to Niagara falls, ...	725, 726, 727
Statens Island co.,	737, 749, 840, 844
bill to authorize any railroad co. to take stock in the:	
Glide and Sodus bay railroad co.,	744, 924

Railroads, bill to authorize railroad co.'s to take stock in At-	
tica and Allegany railroad co., 739, 777, 782, 804, 840	
	880, 881
Erie and N. Y. city,	812, 823, 894
New-York central,	1075, 1078
Erie, Central and Northern, through freight on,	1085
bill to punish persons obstructing the running of rail-	
road cars,	1106
..... (see general railroad law.)	
Railroad accidents, &c., report of select committee, to in-	
quire into the causes of,	55, 57, 69
corporations, bill to change time for the election of	
directors of,	713, 719
association, N. Y., remonstrance of Jacob Sharp,	
President of the,	83
resolution by com. to appoint a committee,	91, 119
petition of Vice President, for an investigation of	
certain charges,	109
corporations, bill in relation to, ..	145, 193, 207, 567, 341
	347, 366, 369, 374
amend act for formation of,	223, 235
bill by Mr. Monroe, 278, 276, 288, 290, 298, 356, 442, 539	
	567, 582, 604, 612, 620, 630, 646
bill for service of process upon,	148
to construct branch tracks,	272, 288, 327
Railways, in New-York, bill to prevent injustice in the con-	
struction of, 31, 39, 73, 101, 107, 108, 111, 112, 115, 116	
in Williamsburgh,	101
Ransom, Lewis, resolution to send to the Assembly for pa-	
pers relating to claim of,	44
report against,	201
petition and papers taken from files,	259
Ransomville plank road co., bill for relief of the, 484, 511, 538	
	565, 628
Real estate, (see title of bill, or subject,) to prevent super-	
visors from reducing the assessed value of, ...	124, 126
..... (see resolution of, by Mr. Pierce.)	
taxation of,	39, 89, 135, 715, 783
owners of New-York, ...	257, 270, 302, 307, 310, 314, 369
..... (see proof of payment of incumbrances upon.)	
Real property, (see claims) determination of claims to, in	
certain cases,	394
Recess of the Senate, motions, &c., 140, 145, 149, 268, 273, 345	
	492, 522, 674, 676, 952, 953
resolution to take a recess until Wednesday, the 18th	
May,	655, 658, 660, 667, 680
Records of convictions of vagrancy, bill, requiring police	
justices of New-York, to file,	447, 560, 609

Recorder's court, Buffalo, bill in relation to the,	311, 329, 338 435, 774
Records of Genesee co., bill for clerk of Orleans co., to transcribe certain,	258, 271, 327, 455, 517, 805
Records of Kingston, papers referred,	138
bill,	345, 366, 371, 855
Records of Ontario and Steuben, bill to transcribe certain,	258 381, 431, 455, 711, 750
Records, (certain) in Surrogate's office, N. Y., to be removed to Ulster co.,	396
Recoveries against school districts, (see school district.)	
Recovery of illegal taxes and assessments, bill noticed,	137
bill introduced,	147
Red Book, clerk to procure copies for reporters,	268
Reformed Dutch church, corner of Green and Houston-st., N. Y., petition for change of name,	233
bill to change name,	254, 295, 303, 351, 774
bill to legalise and confirm a certain conveyance made by the,	257, 288, 367, 374, 425, 940
Reports, (see subject to which they relate, also see committees.)	
Reports and contracts of railroad corporations, (see railroads.)	
Reporters to be furnished with pen knives,	138
Reservoir, (see croton aqueduct,) bill facilitating the acquisition of lands for a new reservoir in New-York,	797, 623
Regents of the University, sixth annual report of the,	62
motion to print 1,000 extra,	67, 91
resolution to loan certain articles to the association for the exhibition of the industry of all Nations,	597 623
Registry of births, marriages and deaths, petition for repeal of act,	62
notice of bill to repeal act requiring the,	114
bill,	129, 167, 289, 297, 303, 357
Assembly bill,	387, 411, 444
Regiment, 49th, (see militia.)	
Regulation of assessments of taxes on incorporated companies, Assembly bill for the,	388
Reimbursement to counties for expenses of criminal proceedings in certain cases, petition,	66
bill,	381, 431, 470, 520, 528, 624, 645
Relief lodge, (see lodge.)	
Religious corporations, resolution to refer to standing committees,	148
bill to enable to change their names,	449, 465, 622, 716 720, 734, 750
Rent, petition for repeal of act to abolish distress for,	233, 296

Canandaigua Polytechnic institute, petition of trustees,	166
report of com. against,	640
Resolutions, (see titles of bills or subject to which resolutions relate.)	
to appoint a committee to wait on the governor and inform that the Senate was ready to proceed to business,	3
to appoint a com. to wait on the Ass., and inform the House that the Senate was ready for business,	3
clerk of the Senate authorized to provide each member and officer of the Senate with newspaper, and pay postage on same, also on documents,	3
clerk to invite clergymen to open settings,	4
Mr. Williams, that 5,000 copies of the governor's message be printed,	29
Mr. Conger, adopting the rules of last session,	31, 36
M. and Wm. E. Worden, referred papers relating to, to com. on claims,	31
Pool, Oliver, papers relating to, referred to com. on claims,	31
charter of Salina, papers relating to, referred,	31
refer papers of A. McGhee to com.	32
in relation to Glen Cove ferry,	32
Mr. Cooley, concurrent, to appoint com. to consider that part of the governor's message referring to the completion of the Erie canal enlargement, and the Genesee Valley and Black river canals, to report, &c.,	32, 43, 51, 119
to take from files papers of R. N. McFadden,	33
to take from files papers relating to charter of Waterford, Thomas Countryman, sundry persons of Canajoharie, for relief, John E. Van Eps, J. H. Salisbury and the Nyack Turnpike Co.,	37
to take from files and refer petition of citizens of Oneida co., in relation to jurisdiction of justices of the peace,	38
to send to the Ass. for papers relating to Eliphalet Sears and H. Adams, also of the Nyack Turnpike Co., also the New Rochelle and Glen Cove ferry Co.,	40
Mr. Conger, that clerk procure R.S. for the Senate library.	40
Mr. Bristol, that the clerk furnish officers of the senate with newspapers,	46
to refer petitions and papers of Union school, Warsaw, Andrew Coats, bridge across north branch of the Hudson river, Ladies' Depository, N. Y., and Horace Dodge,	41
requesting papers of James H. Salisbury, also relating to a highway in Canandaigua, to be sent to Senate,	41

Res., that the committee on State prisons inquire into the propriety of appropriating part of the earnings of convicts in State prisons,	41
relative to errors on the journal of the last session, 42,	47
in relation to errors in engrossing the concurrent resolutions of the Senate and Ass. of last session,..	42, 47
to send to the Assembly for petitions and papers relating to claims of O. Pool, D. Dievendorf, Chas. Dievendorf, John C. Phillips, Lewis Ransom and John H. Babcock,	44
to take from files papers relating to claim of Henry Baker, deceased, also in relation to division of Steuben co.,	41
that the State engineer and surveyor report certain information about freight on railroads, &c.,	46
in relation to the imprisonment of Francisco Madiai and wife, in the kingdom of Tuscany,..	47, 67, 79, 103
National University, to refer papers of, to literature com.,	49
expenses of government, res. to instruct finance com. to make certain enquiries in relation to the law of 1852, chap. 407, in relation to,	52
to refer the governor's message to committees,	52, 70
to send to Ass. for papers relating to levying a tax in Westchester co., to build engine houses, change name of Mile square, custody of books, papers, &c., and also for restoration of papers, books and land warrants throughout to State, and refer to committees,	53
to appoint committee to revise joint rules of the two Houses,	54, 59, 65, 68, 85, 103
to send to the Ass. for petitions and papers on file, relating to the case of Augustus Cornwall,	54
to send to the Ass. for papers belonging to the claim Charles Vrooman and Levi Hurlbert,	57
to pay Wm. Pepper, \$1.50 per day, for arranging books, &c., in Senate library,	57
to print extra copies of report of railroad committee, 57,	67
that report of select com. to investigate causes of casualties on railroads be referred to standing com. on railroads,	57
to procure printed signatures of the journal for files,	61
to send to the Ass. for papers relating to common schools in Homer, Cortland co.,	63
by Mr. Conger, to print, in addition to the usual number, 1,000 copies of the annual report of the Regent of the University, on the condition of the State Cabinet, for the use of the Regents,	67, 91

Res., to take from files, the papers relating to the amend- ment of the charter of Dundee village; also papers relating to Niagara falls international bridge,	67
Colonial history, resolution by Mr. Pierce, request- ing the Comptroller to report the expenses, &c., in relation to publishing the,	68, 136
Henry Baker, claim of, recommit to committee on claims,	69
claims, com. on, resolution to instruct the com., . .	70, 74
Ausable river, resolution to take papers from files, in relation to an improvement of the,	70
bridge across north branch of the Hudson river; reso- lution to send to the Assembly for papers relating to a,	70
John J. Wiles, that the judiciary committee inquire whether it is competent for the Legislature to re- peal chap. 358 of laws of 1852,	75, 79, 85
appropriation of money from the treasury, by Mr. Conger, that laws for appropriations, shall specify the sum appropriated, &c.,	75, 79
Grand Lodge of N. Y., to take papers from files and refer,	75
President pro tem, appointing Mr. McMurray,	76
appointing committee to notify the Governor and the Assembly, of the appointment of,	78, 79
spirituous liquors, to print report of committee in relation to the traffic in,	78, 91
State prison inspectors, to print extra number of their report for their use, and prison,	78, 79
to send to the Assembly for papers relating to claim of Robert W. McFarren,	79
to take from files of Senate, the papers relating to claim of Cyrus P. Dunham,	79
vétéran corps of 1812, to take from files of the Sen- ate, petitions and papers relating to the,	82
water in Newburgh, bill to provide for, referred for amendment,	82
Christian Vebber, to send to the Assembly for papers relating to claim of,	85
militia law, (concurrent) by Mr. Kirby, that the Gov- ernor appoint a committee to codify, &c.,	87, 139, 438
Atlantic and Pacific railroad co., to recommit bill, .	87
School districts in Sherburne, to recommit bill, . . .	87
to send to the Assembly for petitions and papers on file, in relation to Marcus Brown,	87
to send to Secretary of State, for papers on file, in re- lation to Marcus Brown,	87

Res., lands granted by Congress to aid in constructing a railroad from Pontiac, the termination of the Detroit and Pontiac railroad, to the shore of Lake Michigan, see (concurrent), by Mr. Babcock, . 89,	185
Broadway railroad association, by Mr. Bartlett, in relation to petition of Jacob Sharp, and the appointment of a committee to investigate charges, 91, 118,	140
Library companies, to take bill and papers and refer to Literature committee,	95
common schools in Oswego, to refer papers to proper committee,	95
Patten, Albert and F. J., to take papers of, from files, and refer to committee on claims,	97
to restore the bill for the incorporation of the Atlantic and Pacific railroad co., to its place on general orders,	101
to take from files, papers relating to petition of Thos. Cypriano De Mosquera, and Pedro Alcantara Herran, to hold real estate and refer to judiciary committee,	105
by Mr. Beekman, that the use of the Senate chamber be granted to the scientific convention, to discuss the question of a State University,	105
by Mr. Wright requesting the canal commissioners to report amount of tolls received on the Champlain canal, and tonnage,	105, 119, 129
Thomas Countryman, papers in the Assembly, relating to claim of, be sent to the Senate, and referred to committee on claims,	105
to take up bill to extend time for the collection of taxes in Montgomery and Schenectady,	106
to refer to committee of the whole, bill to provide for the payment of certain expenses of the Senate chamber,	106
that Senate go into committee of the whole, on bill to prevent injustices in the construction of railways in New-York,	107
to send to Assembly for papers relating to a supply of water in Fort Ann, and refer to committee on incorporation of cities and villages,	107
by Mr. Conger, that the bill relative to "preventing injustice in the construction of railways, in the city of New-York," be recommitted to the committee on grievances, to investigate and report,	112, 115
that bill to incorporate the Atlantic and Pacific railroad company, be special order,	117
that the act to authorise the union and consolidation of railroad companies, be referred to committee whole, and made special order,	117

Res., that bill relative to savings banks, be made special order,	120
that bill to incorporate the Atlantic & Pacific railroad company, and bill for the union and consolidation of railroad companies, be made special order,	123
(concurrent) by Mr. Pierce, in relation to reducing, by boards of supervisors, the aggregate valuation of real estate, below the aggregate valuation, as returned by the assessors; and the duty of county clerks, or clerks of supervisors, Attorney General, and State Superintendent of Common Schools, in relation thereto,...	126, 180
that bill to incorporate the Atlantic & Pacific railroad company, be taken from committee of the whole, and referred to committee on railroads, to report complete,...	130, 137
by Assembly, to print extra number of documents,	136
afternoon session, on and after 3d Feb., and the bill for Atlantic & Pacific railroad company, be made the special order until disposed of,	137
by Mr. Clark, resolution (concurrent) that our Senators and Representatives in Congress, use their influence to secure a provision in the treaties with other Nations, for referring to the decision of umpires, all future misunderstandings that cannot be satisfactorily adjusted by amicable negotiation,	138, 185
records of Kingston, papers taken from files and referred,	138
Colonial History, resolution by Mr. Pierce, calling upon the Secretary of State, to report respecting the publishing the documents relating to the Colonial History, under the contract,	139
Lancasterian schools, Schenectady, papers referred,	139
Baldwin, Wm., resolution by Mr. Conger, to pay said Baldwin,	139
Marine hospital at Sandy Hook, resolution by Mr. Bartlett, calling upon Commissioners of Land office, to report what proceedings have been had in regard to buying a site for the,	139
resolution, by Mr. Beekman, in relation to extending enquiries by committee appointed to investigate charges against Broadway railroad association,...	140
resolution by Mr. Babcock on same subject,	142, 155
Brooklyn female academy, bill referred to Senators from 2d, 3d, 4th, 5th and 6th districts,	140
to refer papers relating religious corporations,	148
to refer the papers relating to the following bills: Catskill Bridge, Rochester university, and Fulton Live Stock Insurance company,	149

Res., turnouts and sidings, resolution that the State Engineer and Surveyor, report relative to the construction of,	153
turnpike in Essex co., resolution to take papers from files and refer,	153
Auditor of Canal Department, requested to report amount paid since Jan., 1, 1852, on account of canal claims, &c.,	153
that the printer be requested to print and return to the Senate, bills sent to him for that purpose, in order in which they are received from the clerk,	160
that general orders be made special orders for Wednesdays and Fridays, after presentation of petitions,	160
Auditor of the Canal Department to report amount of tolls, &c., received on Champlain canal, imported from British Provinces in North America, &c.,	160
to have Senate meet at 10 o'clock, a. m., from 10th Feb. 1853,	170
to paper relating to organization of the town of Gardiner,	170
State Engineer and Surveyor, resolutions, (concurrent) that the, report whether a bridge can be built over the Hudson, at Albany, without materially obstructing the navigation,	171
that papers relating to highway in town of Groton, be taken from files of the Assembly, sent to the Senate and referred,	271
300 copies of Adjutant General's report be printed for that department,	171, 193
that papers of Constant Brown, be recommitted to committee on claims,	171
that no member shall be allowed to vote on the passage of a bill in which he or they may be interested,	172, 181
savings banks, that the bill relative to savings banks, be referred to committee on banks and insurance companies, with instructions to strike out 6th, 7th, and 8th sections,	173
that until otherwise ordered, the daily session of the Senate commence at half-past 10, a. m., and end at a quarter before 2, p. m.,	180
in relation to duty of county clerks, in the matter of assessments, valuations, &c.,	181
that the clerk return to Medad Pomeroy, a map now on files of Senate,	185
accepting the medal struck in honor and remembrance of Henry Clay,	189

Res., that the medal struck in honor of Henry Clay, be deposited by the President for safe keeping in the State library,.....	189
to appoint a select committee of 5, to report resolutions expressive of the sentiments of the people of this State, upon the character and public services of the distinguished American statesmen who have departed this life in rapid succession during a few years past,	190
that the president of the N. Y. & Erie railroad company, report copies of all leases, contracts, &c., between said company and the New-Jersey railroad company, and the Patterson and Ramapo railroad company, and Union railroad company, &c.,.....	190
that there be printed 250 copies of report of Commissioners of Emigration,.....	188, 193
(concurrent) in relation to adjourning over Washington's birthday, to 23d February,	206, 209
that the Canal Board be requested to report the names of any canal superintendents who have had charges preferred against them during past year, ..	207
that on Monday next, the Senate will, at a quarter before 2 o'clock, take a recess until half-past 3, p. m.,.....	268, 273
that on and after Monday next, the Senate will convene at 10 o'clock, a. m., and at a quarter before 2 o'clock, take a recess until half-past 6, p. m., ..	268, 273
(concurrent) in relation to altering the Constitution, respecting the Constitutional oath of office, ..	272, 281
that 1,500 extra copies of the bill to prevent the sale of intoxicating drinks, be printed for the use of the Senate,.....	274
to appoint select committee of eight Senators, to which shall be referred the general orders, also motions to refer bills, &c.,	272, 281
to print 2,000 copies of report of State lunatic asylum,.....	286, 284
to print 400 copies of reports of trustees State library,	257, 284
that the estimate of expenses of completing the public works, as furnished the select committee on constitutional amendments, be printed,	287
(concurrent) proposing an amendment of the Constitution, in relation to the completion of the canals, &c.,	288
to print 1,000 extra copies of report of State prison inspectors, with documents for use of inspectors, ..	281
that the report of select committee on resolutions of Senator Vanderbilt, in relation to completion of the canals, be made special order,.....	287

Res., that bill in relation to the Lebanon Springs Railroad Co., be referred to a select com.,	228
that the res. requiring the adjournment at $\frac{1}{4}$ before 2 o'clock P. M., be rescinded, and that the Senate continue to meet at $\frac{1}{4}$ past 10 o'clock,	229, 252
that the comptroller report certain facts in relation to the volunteers or militia in the war of 1812, having received pay from U. S. in addition to their pay from the State the sums required by law,	251
that the comptroller report a statement showing the counties from which the State tax payable in 1852, is due, &c.,	251
resolution to appoint select com. on bill in relation to village of Batavia,	252
also on bill to change name of the Building Association Fire Ins. Co.,	252
that the commission appointed by certain resolutions of the Senate, passed April 12, 1851, and continued by a resolution passed Feb. 28, 1852, be directed forthwith to lay before the Senate part of their report, balance sheet and accounts connected therewith,	253
that petitions and papers of J. H. Babcock, Lewis Ransom, John C. Phillips, David Dievendorf and Charles Dievendorf, be returned to petitioners, ..	259
that the clerk of the Senate be directed to procure copies of the Red Book for the Senate reporters, ...	268
that the clerk procure the same number of diagrams of the Senate as was procured last year,	207
that the bill to authorise the formation of corporations for constructing railroads between the Atlantic and Pacific oceans and elsewhere, be printed, ..	207
from the Assembly, for concurrence, requesting senators and representatives in Congress to use their influence to procure a law granting a pension to the surviving soldiers of the Indian war of 1791 1792, and to the widows of the deceased soldiers of that war,	209
that the bill for Catskill bridge, be referred to a select com. to report with amendments,	209, 210
that bill for amending charter of Harlem Railroad Co., be referred to select com. to report complete, ..	214
that the bill in relation to widows and orphans' fund of the associated Presbyterian church, be referred to standing com. on charitable and religious societies,	215
to refer to a select com. the following bills: Kings co. penitentiary, Greenwood cemetery, confirming real estate to Thos. G. Talmadge,	216

Res., that the com. of the whole be discharged from further consideration of Senate bill to amend act of incorporation of Clinton Hall Asso ,	228
that Wm. H. Bogart continue his digest of claims so as to embrace this session, and embody reasons given by com. on claims in denying or approving the claim, the expense of which will not exceed \$125,	328
relative to the completion of the canals, 195, 199, 285, 286	
287, 294, 302, 304, 316, 329, 333, 343, 345, 367, 377	
393, 395, 405, 410, 411, 412, 415, 419, 456, 471, 480	
486, 492, 750, 751, 752, 753, 755, 771, 842	
to print memorial of trustees of Union college,	338
to refer to select com. the bill for a bridge over Rocliff Johnson's kill,	343
to have printed certain affidavits by L. Vanderheyden, &c., relating to Union college investigation,	344
	364, 368
that the auditor of the canal department furnish a copy of the complaint or charges made by the canal board against any and all superintendents, during the past year, &c.,	345, 390
to refer majority and minority reports of committee to investigate affairs of Union college, to a com. of 3 senators,	365, 392, 405, 406
making a special order the petition of L. Vanderheyden, in relation to the affairs of Union college,	368, 392
to print memorial of officers of Trinity church,	394
concurrent, directing the secretary of State to publish the poor laws in pamphlet form, ...	401, 418, 493
to print extra copies of report of State engineer on freight carried on railroads,	405
by Mr. Beekman, in relation to the affairs of Union College, and as amendment to resolution by Mr. Babcock,	406
that the committee appointed March 22, 1852, to inquire into the alleged disorderly conduct of Senator Pierce, and Senators Upham and Platt, be required to report,	419, 1105, 1110
in relation to third reading of bills and special orders,	420
that certain bills are made special orders,	423
(concurrent) that the general appropriation and supply bills ought to be forthwith introduced,	429
in relation to third reading of bills, and special order on amendment to the Constitution,	437
to print extra copies of report submitted by Brig. Gen. J. Watts DePeyster,	438
that the Senate go into executive session,	457

Res., (concurrent), from the Assembly, (Mr. Forsyth's) in relation to amending the Constitution, in regard to the elective franchise,.....	460
to print extra copies of report of canal commissioners; report of Com. Fitzhugh, annual report of State engineer on railroads,.....	415, 466
that the special order on the canal resolution, be postponed,	471
that the Comptroller furnish, in tabular form, summary of ordinary expenses of government, since the adoption of the present Constitution,.....	483
(concurrent), to appoint committee to examine treasurer's accounts; also accounts of bank department,	483
573, 608, 753, 762,	1081
in relation to the third reading of bills,.....	483
that the clerk procure copies of general index,	556
concurrent, from the Assembly, to adjourn on the 13th April,	568, 604
(concurrent,) that the Regents of the University loan certain articles to association, for the exhibition of the industry of all nations,	597, 623
extending time for the report of committee on Union College affairs, to 1st Sept.,	622
(concurrent) to appoint a committee to wait on the Governor, and inform him that the Senate was ready to proceed to business,.....	649
to appoint a committee to wait on the Assembly, and inform that body that the Senate was ready to proceed to business,	650
(concurrent,) that the business of the last session be resumed at the point where it was left, by both Houses on the adjournment, on 13th April, 1853,	654
concurrent, from the Assembly, that the Legislature proceed with the business pending before it on the 13th April inst., as if the two Houses had adjourned until this morning,	654
(concurrent,) that no new proposition not now pending for the enactment of a law, shall be acted upon by either branch of the Legislature, at this session,	655
(concurrent,) that measures not petitioned for, or presented at the last session, by bill, or notice of a bill, shall not be considered at this session,	655
concurrent, from the Assembly, that this House, tomorrow, take a recess until Wednesday, the 18th day of May next,	655, 658, 660, 667, 952, 953
that the clerk furnish Senators and officers with newspapers, and pay postage, &c.,	658
in relation to adjournment and meeting of the Senate,	658

Res., concurrent, from Assembly, to take a recess at 5 o'clock, P. M., April 15, and meet on the 24th May next,	674
concurrent, that the time for the final adjournment be extended to 4 o'clock to-morrow afternoon, 647,	680
	980
concurrent, that this Legislature adjourn, sine die, on Thursday, the 9th day of June next,	685, 693
that the commissioner having charge of the Champlain canal, report amount of business done on said canal, also amount of tolls collected, &c., 685,	819
in relation to final adjournment,	922, 945
instructing Canal Commissioners to bring in a bill to provide for the payment of canal revenue certificates,	694
concurrent, from Assembly, to appoint a committee to select a time after the adjournment, for the excursion,	768, 844, 850
to print 1,000 copies of documents accompanying the annual report of the State prison inspectors,	787
concurrent, from the Assembly, in relation to referring to surviving commissioners, the report of the commissioners on practice and pleadings,	819
concurrent, to adjourn on Tuesday, the 21st inst., (June),	820, 952
concurrent, Assembly, to print defence of J. C. Mather, Canal Commissioner,	896, 813
concurrent resolutions, by the conference committee respecting the proposed resolution to amend the Constitution relating to the canals,	837, 842
not to entertain or receive any new bills after this day, (June 16,) in relation to ventilating the Capitol,	882
that the commissioners of the Canal Fund, report in relation to money received for sale of canal revenue certificates,	886
concurrent, from Assembly, in relation to claim of David Jones,	900, 950, 1076
concurrent, by Mr. McElwain, in relation to the laws, doc. &c., of the Leg., being placed in the library of the N. Y. State Ag. society,	945
resolution, (concurrent) about adjourning,	945
resolution from Assembly to print 20 copies for members,	952, 970
concurrent, from Assembly, to adjourn on Wednesday, 18th July,	974, 977, 981, 986, 988, 993
to appoint a committee to make arrangements for attending the exhibition of the industry of all Nations,	979

Res., from Assembly, in relation to the impeachment of J. C. Mather, and the continuation of the organi- zation during the trial,.....	988, 989, 994
committee to be appointed,.....	994, 996, 999
in relation to toll on through freight on the Erie, Central and Northern railroads,.....	1085
that committee be instructed to bring in a bill impos- ing a tax to supply deficiency in the treasury,.....	1085 1086
of thanks to the clerk, deputy clerks, officers and messengers,.....	1114
to appoint a committee to wait upon the Assembly and Governor, and inform that the Senate was ready to adjourn sine die,.....	1114
to print report of W. L. Crandall, on public school policy,.....	1106, 1114
that the complaint, at the session of this body of 1852, that the Senator from the 20th, Mr. Platt, had used the improper language imputed to him in the said complaint, is unfounded and injurious to the Senator from the 20th, and that no impro- per act or motive is in any way attributable to the Senator from the 15th,.....	1110
amendment, by Mr. Bristol,.....	1110
Restoration of papers, books and land warrants throughout the State, and the depositing thereof in the county offices of record.	
resolution to send to the Assembly, for papers on file,.....	53
notice of bill,.....	93
Returns of personal property, bill to enable full and com- plete,.....	39, 88, 135, 187
Rural cemetery associations, bill to amend act to incorpo- rate,.....	147, 244, 302, 309, 336, 352, 469, 499
Revised Statutes for the Senate library, resolution that the clerk of the Senate procure ten copies of the 4th edition of the, for the Senate library,.....	40
bill to amend the, in relation to the town of Water- ford,.....	37, 56, 60, 358
minor offences in Waterford,.....	307
bill noticed by Mr. Pierce, to amend section 4, title 3, chapter 1, part three, of the,.....	56
compensation to constables attending Supreme court, bill introduced,.....	61, 77, 175, 198, 206
notice of bill to amend section 24, chap. 5, title 1, part 2, of the,.....	67
bill to amend title 6, chapter 7, part 1, 4th edition 69, 199, 391, 498, 604, 771, 787, 998	

- Rev. Stat., roads and highways, act amended, 16th chap. part**
 1, 114, 124, 152, 287, 290, 298, 303, 336, 396
 • in relation to town superintendents, and public instruction, 148, 153
 powers upon criminal judges to inflict double punishment for second offence, 208
 (see superintendents of the poor.)
 in relation to taking testimony of witnesses, 256
 perpetuating testimony in certain cases, 257
 custody and government of State prisons, 287, 536
 regulations concerning assessments of taxes, and commutation thereof, 388, 498, 538, 603, 690, 694, 715
 783, 787, 795, 1106
 (see voluntary assignments.)
 in relation to common schools, 814, 821
Rhinebeck and Kingston, (see ferries.)
Richardson, Joseph V., bill to confirm acts of as a justice of the peace, 318, 325, 347
Richards, D., (see Atlantic dock.)
Richardson, Richard, bill for canal damages, 815, 822
Richmond co., notice of bill in relation to militia in, 73
 bill, 81, 110
 time for collection of taxes in, extended, 94, 99, 106
 see road laws in, 150, 178, 216, 232, 300, 301
 commissioners of highways in, 370, 423, 773
Richmondville, Schoharie co., board of town officers, bill, 141, 144
Richmondville and Summit Plank Road Co., bill to borrow money, 816, 821, 854
Richmondville Union Seminary and Female Collegiate Institute, bill to increase stock, 334, 370, 438
Ridge road, (see Ridgeway.)
Ridgeway, bill to re-survey part of certain State road, 918
Riggs, John C., bill to confirm acts of, 936, 1040, 1046
Rising generation, petition for a law affording greater facilities for improving the minds of the, 166, 173
 (see teachers' associations.)
Roads, (see private roads.)
 (see highways.)
 (see titles of bills for roads.)
 (see Wilna.)
 from Clinton co. to Carthage, Jeff. co., 377, 383, 440
 from Lewis co. to Brown's tract in Herkimer co., 389, 414
 689, 725, 726, 733, 757
 across Indian Onondaga reservation, 446, 513
 (see private roads.)
 (see Orange turnpike to Nyack.)
Road district, in Vernon, Oneida co., 97, 389, 392, 399
Eldridge village, a separate, 237, 245, 263, 276, 280, 662
 680

Road district, in Moravia, 245, 263, 281, 296, 299, 292, 484, 490	
in Ledyard,	261, 270, 277, 285, 291, 310, 314
in Ellicottville,	308, 394, 426, 786
in Adams village,	389, 495, 682
Silver Creek, a separate,	394, 426, 570, 625, 644
Churchville, a separate,	449, 493
Oneida Castle,	485, 495, 686
in Persia,	486
Summit four Corners,	619, 716
Charlottesville,	619
Gallupville,	815, 821, 854
Roads and streets across railroads, bill to regulate the construction of,	302
Road laws in Richmond co., petition for repeal of,	150, 232
remonstrance,	300
bill,	178, 216, 301, 370, 423
Roads and highways, R. S. amended, 114, 124, 152, 287, 290, 298	
	303, 336, 396
Rochester, bill to amend act of incorporation of the city, 231, 236	
bill for election of police justice,	485, 511, 612
bill to amend several acts relating to the city of, passed April 15, 1852,	542, 567, 670, 680, 1093
Rochester and Webster plank road, bill,	216, 220, 224
Rochester University, resolution to refer papers,	149
Rochester Water Works Co., bill to amend act of incorporation,	599, 690, 699, 532
Records in Onondaga co., bill providing for the safe keeping of the,	223, 235, 327, 341, 356, 369
Rock-bottom Bridge Co., (see Binghamton.)	
bill to incorporate the, 277, 285, 289, 291, 451, 426, 436	
	451, 476
Rockland co., notice of bill to have records in Orange co.	
transcribed and filed in,	46
bill,	56, 63, 69, 74, 645
Rodrigues, Maria Vincenta, bill to hold real estate, 381, 431, 512	
	574, 796
Roeliff Johnson's kill, bridge over,	245, 309, 343, 373
	(see Johnson.)
Rogers, Mr., leave of absence for five days granted to,	282
Roll call, (see call of the House.)	
motions for,	406, 864, 920, 925
Roman Catholic congregations, bill to incorporate, 543, 564, 605	
606, 724, 750, 751, 752, 846, 849, 860, 862, 899, 900, 924, 927	
remonstrance,	893, 916, 917, 921, 930, 931, 949
Roman Catholic Bishops, notice bill to incorporate the,	314
Rome and Madison Plank Road Co., petition of directors in relation to laying out work on plank roads,	703
Rome Savings Bank, annual report,	159

Rome village, petition for amendment of their charter,....	66
bill noticed,	67, 498
bill introduced,	73, 102, 191, 199, 235, 248, 453
remonstrance,	748, 841
Catholic school in,	208, 641
extension for time of collecting taxes in,	217, 218
bill to take stock in railroad from St. Lawrence to Rome,	573, 602, 702
Rome water works, notice of bill revising charter of the,...	681
bill introduced,	686, 705, 717, 816
Rounsville, J. P., petition of to build a dam across Genesee river, at Belfast, Allegany co.,	45
clerk to procure Red Book for the,	268
Rules of the Senate of last year adopted, and committee ap- pointed,	31
report of committee to revise,	36, 51
joint rules of both houses, resolution to appoint committee to revise,	54, 59, 64, 68, 85
concurrence of the Assembly to the joint rules,	103
motion to suspend 29th rule,	471, 481
and orders of last session remain in full force and effect till otherwise ordered,	650
report of committee to revise,	657
Ranning of railroads, (see railroads.)	
Russell, David, bill to confirm title to lands in Essex co.,	858, 870
town of, (see Lester K. Hill and H. Bartlett.)	

S.

Sacandaga river, bill improving the,	813, 824, 920
Sacia, Charles, petition for relief,	96
bill,	219, 278, 547, 785
Sacketts Harbor, communication from Secretary of War in relation to cession of lands at,	167
Sacketts Harbor and Saratoga Railroad Co., bill to amend act of incorporation,	608, 675
Salem village, bill to amend charter, 30, 31, 55, 64, 73, 306, 314	
Salina village, petition for amendment of charter of,	30
resolution to refer papers relating to,	31
bill,	55, 64
swamp lands in, to be drained,	971
Salina, Liverpool and Clay Plank Road Co., notice of bill for relief of the,	56
bill,	59, 256, 327, 371, 426, 484, 499
Salmon River Plank Road Co., bill to sell part of road, 397, 465 537, 562, 698	
Sale of spirituous liquors, notice of bill repealing all laws requiring licences for the,	31
Salisbury, Jas. H., papers referred,	37
resolution to have Assembly transmit to the Senate the petition and papers of,	41

Salisbury, Jas. H., bill,	134, 479, 919, 924
Salt, (see manufacture of.)	
Sandwich Islands, (see railroads.)	
Saratoga springs, bill to amend act of incorporation, 448, 464, 687	
bill to appoint two commissioners of deeds in, ..	461, 704
Saranac river, bill declaring the, a public highway,	396, 438
	614, 646
Savage, Mary, and Ann Hewson, petition of, for a law to	
hold certain property of Henry Goss, deceased, an	
alien,	239
bill for relief of,	385, 431, 455, 478
Savings banks, notice of bill relative to,	31
bill relative to, in N. Y. and Kings, 36, 40, 58, 69, 98, 120	
130, 178, 198, 524, 679, 749, 769, 816, 851	
report of the Auburn,	59
Manhattan, N. Y.,	131
Williamsburgh, annual report,	131
New-York,	134, 214
Brooklyn, to purchase stock,	54, 136
for merchants' clerks,	123
Bowery,	123
South Brooklyn,	150
Irving savings institution, annual report,	159
Rome, annual report,	159
Seaman's bank of savings, N. Y.,	178, 179
emigrant industrial savings,	188
Brooklyn,	201
Penn Yan,	935, 1010, 1012
Greenwich savings,	203
East river,	203
Ulster co. savings, 203, 223, 255, 290, 322, 339, 354, 772	
Brookport,	233, 300, 604, 1018, 1058
Dutchess co.,	241
Syracuse savings institutions,	244, 748
Dunkirk,	331, 370, 431, 454, 578
Sixpenny, N. Y.,	461, 595, 596, 750
Broadway,	463, 511, 710
Westchester co.,	532, 595
Albany, annual report for 1852,	544
Troy, report,	565
Syracuse,	723
Albany,	819, 823, 845, 851, 941
Mechanics and marine, N. Y.,	844
in relation to, or institutions for savings in N. Y., ..	940
bill to amend act relative to,	713
Schenectady, lancaster schools in,	139
petition for supply of water in, 226, 269, 473, 537, 582, 681	
remonstrance,	261
memorial of common council,	715

Schenectady, bill to annex certain parts of third and fourth wards of, to Niskayuna and Rotterdam,	323, 408, 537 582, 628
resolution and remonstrance of common council and others, against annexing,	368, 369
remonstrance against dividing,	403
Schenectady and Duanesburgh plank road, petition for an extension of time to complete road,	226
bill,	234, 366, 372, 427
Schools, (see common schools,) (see free schools,) (see public schools,) (see Crandall, W. L.)	
in Tonawanda reservation, for indians, 111, 114,	376, 450 466, 800
in Syracuse, amend act of April 11, 1848,	501, 512
School districts, No. 7, Sherburne, relief, ..	38, 85
No. 1, Seneca, Ontario co., 62, 99, 176, 191, 430, 455, 679	544, 531, 478
No. 7, Sherburne,	85, 87, 92, 176, 198, 204, 396
No. 10, in village of Warsaw, ..	85, 87, 92, 404, 424, 439
No. 3, in Castleton, Richmond co.,	208, 476, 539
No. 18 and 19, Ledyard,	261
in Pulaski,	397, 469, 473, 537, 562, 688, 723
No. 7 Warsaw,	402
Schodaek, taxes in,	236, 240
School districts in this State, to raise money to pay librarians, bill,	537, 559, 748
No. 1 Westfarms,	719, 767, 796
No. 1, Palmyra,	749, 760, 775
bill in relation to recoveries against school districts,	883, 940
School district libraries, bill,	378, 386, 735, 748
School moneys, petition of supervisors of Westchester co. for distribution of,	30
report of committee,	641
in Kings co.,	233
School Fund, petition of Catholic school, Rome, for a portion of the,	208
School officers, (see school districts.)	
petition to relieve certain,	883, 899, 995
(see Oneida county.)	
Schools, (public,) in New-York, memorial of board of education of the,	128
Schools and colleges, (see mechanical sciences.)	
committee to which was referred that part of the Governor's message relating to, moved to be discharged and refer same to literature com., ...	201, 202
School of Oneida Indians, papers on file taken and referred, ..	225
Schroepel and Granby, Oswego co., bill to tax for a bridge at Hiamansville,	398, 417, 432, 454, 569

Schuylerville, bill to amend act of incorporation of,	387, 464, 683
	1003, 1038
Scrymgeour, James, bill releasing interest of the State to lands acquired by escheat on the death of,	1112
Scott, Elizabeth and Catharine Scrymgeour, bill to release interest of the State in certain lands to, 394, 891, 899, 912, 927	1064
Scientific convention, resolution to grant use of the Senate chamber to,	105
Seaman's fund and retreat, N. Y., bill to amend the act in relation to the,	133, 111
remonstrance of trustees,	128
Sears, Eliphalet, and Horace Adams, bill to transmit papers relating to claim of,	40
bill,	151, 479
Secretary of State, (see Supt. com. schools.)	
to send papers in relation to claim of Marcus Brown,	87
communication from the in answer to a resolution of the 25th inst., respecting claim of M. Brown, ..	128
see resolution of Mr. Pierce in relation to reducing aggregate value of real estate by supervisors, ..	126, 180
resolution that the, report relating to the publishing of documents relating to the Colonial History, under the contract for that purpose,	139
report by the, in relation to the Documentary His- tory,	258
report of the, in relation to the clerical force in his office,	319
communication from the, transmitting annual report of the New-York Institution for the Blind,	329
concurrent resolution by Mr. Upham, that the Secre- tary of State cause the publication of the Poor Laws,	401, 418, 428
report on criminal statistics,	524
report containing statistics of idiocy,	608
Sebor, Willet, notice of bill to establish a ferry across Long Island Sound from New Rochelle to Glen Cove, (see New Rochelle.)	
Second-street Methodist church, N. Y., petition to hold real estate,	76, 143
bill,	145, 289, 373, 527, 942
Security by certain officers, bill in relation to, for the per- formance of their duty,	450, 474, 537
Security of mechanics, (see mechanics.)	
Secretary of war, communication from, in relation to ces- sion of lands at Sacketts Harbor,	167
Selgnett, Alexander, petition of, to hold and convey real estate,	99
bill,	131, 279, 302, 325, 347, 662, 690

Select committees, (see title of bills.)

(see under title of bills or relative subject.)

Seminaries, Tracy Female, at Rochester,.....	45
Oneida Conference,	72
Richmondville,	334, 370, 438
Seneca Indian high school, bill to incorporate, 812, 821, 1008, 1059	
Senate, organization of the,	3
to meet at 11 o'clock A. M., until otherwise ordered,	30
adjournment of the,	30, 43, 45, 64, 87, 89
motions and res. relative to the meeting of the, 137, 170	
171, 180, 423, 658	
executive sessions, (see executive session.)	
Senate chamber, notice of bill to provide for carpeting the,	86
bill,	93, 99, 106, 111, 211, 214
(see expenses Senate chamber.)	
Seneca Bridge Co., bill to repeal act incorporating the, 334, 492	
592	
Seneca Falls, bill to sell town house at,	462, 622, 714
Seneca lake, notice of bill to amend act to construct a rail-	
road from head of, to the N. Y. & E. railroad, in	
Chenango co.,	227
bill,	245, 255, 366, 372, 421, 458, 476
Seneca, Ontario co., petition in relation to school district	
No. 1 in,	62
bill,	99, 176, 191, 430, 455, 478, 531, 544, 679
Seneca co., bill for the better security of mechanics and	
others in,	146, 704
Sergeant at arms of the Senate, communication from the, ..	103
Service of process, act to facilitate, 853, 869, 902, 940, 924, 1039	
1062, 1108	
upon railroad corporations, bill noticed providing	
for the,	148
Sessions of the Senate, (see executive sessions.)	
resolution, that until otherwise ordered daily ses-	
sions shall commence at half past 10 A. M., and	
end at $\frac{1}{2}$ before 2 P. M.,	180
motion in relation to,	137, 170, 171, 180
Sessions in afternoons, resolution by Mr. Cooley,	137
Session laws, petition for an earlier publication of the,	157
Settle, A. P., petition for relief,	96
bill,	219, 478, 547, 785
Seventeenth ward, N. Y., bill to divide the,	451
Seymour, Lauren and others, bill in relation to claim of, 395, 399	
745, 794, 1109	
Shaari Rochmim, (see congregation.)	
Shader, J. E., and A. Cramer, petition of, for canal dama-	
ges,	122
bill,	219, 469, 520, 551, 785
Sharp, Jacob, president of the Broadway railroad associa-	
tion, remonstrance of,	83

Sharp, Jacob, resolution by railroad committee,	91
Shaw, Bridget, bill in relation to,	784
Sherburne, bill to consolidate school district in town of, 85, 87 92, 176, 198, 204, 396	
Shearith, Israel, notice of bill to exempt from taxation, the cemetery grounds of,	203
bill,	258, 271, 327, 363, 554, 796
Ship canal, (see Niagara Falls.)	
Ship canal around the overslaugh in the Hudson river, (see Albany and New Baltimore ship canal.)	
Shirly, Assembly bill to change name,	812, 826
Shultz, John W., bill from Assembly to tax inhabitants of Esopus, Ulster co., to pay judgment against, 145, 158, 290, 296 359	
Sight drafts, bill from the Assembly providing for the pay- ment of,	223
notice of bill by Mr. Jones,	224
Silver Creek, bill to make village of, a separate road dis- trict,	394, 426, 570, 625, 644
Simonin, Claude, Assembly bill to hold real estate, 815, 837, 913	
Simons, Janet, Assembly bill to release interest of the State in certain lands to,	463, 496, 700
Simmons, Peter R., Assembly bill for relief of,	330, 414
Sing Sing, Assembly bill to amend act of incorporation, 335, 371 515	
Sing Sing State prison, Assembly bill to amend act in rela- tion to the, altering districts,	813, 845, 846
Sing Sing water works co. bill to incorporate the, 705, 736, 809 1057	
Sixth avenue, N. Y., (see Bowery.)	
Sixth judicial district, N. Y., Assembly bill to divide the, 815 1042	
Sixpenny savings bank, N. Y., Assembly bill to incorpo- rate the,	461, 595, 696, 750
Sixth street, Troy, remonstrance against closing, 226, 314, 322 336, 412, 484	
Smith, Mr., leave of absence granted to, for 5 days,	67
Smith, Nathaniel, and J. Pettibone, petition of, for damages, 114 123	
Smith, Peter, Assembly bill in relation to a mistake in sale of land to,	462
report of committee in favor of bill,	597
Snow, Joseph L., and H. Carpenter, Assembly bill for re- lief of,	867, 1042
Sodus canal, bill noticed for the enlargement of the,	719
Sodus Point & Southern railroad company, notice of bill to authorize railroad corporations to subscribe for stock of the,	631, 636, 695, 720, 722, 736, 738, 796, 809

South Hempstead, bill from Assembly to sell part of their common lands,.....	317, 319, 620
(see North Hempstead.)	
South Tenth street, Williamsburgh, bill to close a portion of,	731
remonstrance,	764
petition,	770
Spirituos liquors, (see intoxicating drinks,) notice of bill repealing all laws authorising or requiring licenses for sale of, ..	31
bill,	39, 77
resolution to print report of committee,	78, 91
St. John's College, Fordham, petition for an appropriation, ..	217
report against appropriation,	640
St. Regis Indians, message from the Assembly, to have papers on file transmitted to the House,	45
bill to provide for the education of the children of the,	535, 565, 611, 646
(see indians.)	
St. Lawrence co., bill to authorise the county treasurer of, to retain part of State tax of 1852, for county purposes, ..	449
	616, 671
St. Mary's falls ship canal co., bill to incorporate the, ..	543, 561
	575, 624, 644
Stafford, John H., petition of, for relief,	110
committee discharged, and papers referred to committee on medical societies,	123
Stanford, bill to remove burial ground,	730, 808, 1013
Standard works of American authors, notice of bill to provide for the distribution of,	31
bill,	36, 96, 176, 214, 235, 232, 262, 274
Standing committees, of the Senate,	33
State auditor, (see auditor of canal department.)	
State agricultural society, (see New-York.)	
State debts, support of government, and to carry out the public works by taxes, and by tolls on railroads, ..	972
	974, 978, 979, 982, 983, 987, 994, 998, 1090, 1094
bill from the Assembly, 306, 320, 509, 1056, 1061, 1069	
	1077, 1084, 1089, 1101
(see Vanderbilt's bill, under expenses of government.)	
State drain in Lysander, bridge over, bill, ...	214, 434, 498, 599
State Engineer and Surveyor, that the, report certain information in relation to freight carried on railroads, &c.,	46
(see report of committee on railroad accidents.)	
report of the, in answer to a resolution of the 16th April, 1852, in relation to clerk hire,	92
report of the, on canals, printed by the Assembly, 16 copies for each member, and 1500 copies for engineer,	136

State Engineer and Surveyor, report of, in relation to removing obstructions in the Hudson river,	136
resolution by Mr. Conger, that the, report in relation to the construction of turnouts, &c.,	153
report of, in answer to resolution of the 10th Jan'y, in relation to freight transported on railroads, to and from tide water,	174
to report whether a bridge can be constructed over the Hudson river, at Albany, without materially obstructing the navigation,	171, 189
report of, in reply to a resolution calling for information respecting the probable cost of completing canal enlargement,	349
resolution, that the, report probable expense of completing the enlargement,	287, 349
report of the, on railroads, to be printed, ..	415, 466, 468
State library, annual report of trustees of the,	78
resolution to print 400 extra copies of the report of,	257
	284
State lunatic asylum, annual report of managers,	159
2,000 copies of report to be printed,	206, 284
committee reported to print 1,500 instead of 2,000, ..	284
State medical society, printing of the transactions of the, and address,	275
State prisons, annual report,	36
communication from inspectors of,	77
resolution for committee on, to inquire into the propriety of providing by law, for appropriating a part of the earnings of convicts in,	41
resolution to print 1,000 extra copies of report of the inspectors of,	78, 144
resolution to print extra for inspectors,	79, 311
statement of expenses of inspectors of,	134, 479
appropriations of earnings of convicts in,	100, 203
(see families of State prison convicts.)	
bill to amend R. S. of the custody and government of,	287
keepers and guards of, salaries,	573, 601, 698
bill making appropriations to the several, ..	607, 617, 810
	873, 881, 920, 938, 1080
see motion by Mr. Conger,	660
(see county and State prisons.)	
State prison agents, notice of bill in reference to suits against, ..	278
State Prison convicts, (see convicts.)	
(see families of.)	
State road, from Orange turnpike to Nyack, notice of bill to renew charter of the,	93
bill,	97, 405, 520, 529, 781
(see Nyack.)	

State Superintendent of Common Schools, duty under resolution of Mr. Pierce in relation to reducing value of real estate,	126
petition for separation of office of, from Secretary of State,	173
report of committee,	641
(see Stryker's Register.)	
bill to authorize temporary loan to the,	793
State tax, see resolution of Mr. McMurray, referring that part of the Governor's message relating to a, to the finance committee,	52
resolution by Mr. Morgan, directing comptroller to report companies from which the, is due,	251
State Treasurer, report of the, in reply to a resolution of the Senate, respecting clerical force in his office, ..	55
resolution (concurrent) to appoint committee to examine accounts of the, 483, 578, 608, 667, 763, 764	764
1081, 1101	
State stocks, bill to pay certain bonds, and interest on certain,	395, 403, 458, 490
State University, resolution by Mr. Beekman, to grant use of the Senate chamber to discuss the question of establishing a,	106
Staten Island Railroad Company, petition to run ferry boats, ..	91
bill,	99, 176, 199, 205, 395
bill for the company to extend time to commence their road,	737, 749, 840, 844
Stationery for members and officers of the two Houses of the Legislature, notice of bill in relation to,	46
Statistical list of members and officers of the House, message from the in relation to printing the,	310
Steam ships, notice of bill to amend act incorporating companies to navigate the ocean by,	93
bills, 97, 102, 215, 284, 247, 346, 364, 372, 419, 434, 469	469
499	
Steamship Company, (New-York and Virginia,) bill to amend act of incorporation, 111, 115, 151, 225, 230, 234	234
237, 484, 498	
Pacific Mail Steamship Co.,	203
bill,	223, 242, 302, 308, 325, 355, 469, 499
Starling, bill authorizing the town of, to borrow money, 847, 858	858
864, 914, 967, 1093	
Stephentown, Rensselaer, bill extending time for the collection of taxes in,	231, 235, 240
Steuben county, petitions for a division of into jury districts, 35, 45	45
notice of bill,	27
bill,	39, 56, 149, 171, 179, 181, 1001
resolution to take from files of the Senate papers relating to division of,	44

Stewart, Daniel A., bill to confirm official acts of,	461, 507
Stewart F. Campbell, petition of late Physician of Marine Hospital, at Quarantine,	308
Stillwell, Elias, and Ben'N Smith, bill for the relief of, 144, 375	376, 424, 785
Stock companies, bill to amend act in relation to suits by and against,	334, 414, 481, 584
Stock of railroads, two or more railroads to unite and consolidate their stock,	36
Stockholders, (see railroads.)	
Stockholders of railroad companies, bill to authorize them to make payments upon mortgages in process of foreclosure,	265, 266, 721, 724, 726, 770, 827
Stockport, Columbia county; bill to authorize commissioners of highways of, to lay out and open highways in said town less than three rods wide, 323, 339, 367, 411, 421, 484, 498	(see Stuyvesant and Stockport.)
Street children, (see poor.)	
Suspension of rules, (see rules.)	
Street commissioner in Hornellsville, (see Hornellsville.)	
Streets in Brooklyn, Assembly bill,	572
Streets and parks in Brooklyn, bill for, 301, 326, 339, 353, 461	483
Streets, roads and avenues in Bushwick, (see Bushwick.)	
Stryker, James, petition of, for distribution of his American Register in school districts,	195
notice of bill,	223
bill to purchase his Register,	245, 255, 366, 372, 424
Stuyvesant and Stockport, Assembly bill to authorize the commissioners of highways of, to borrow money to build a bridge at Stuyvesant Falls,	532, 586
Suavey, Leonardo, S., and Maria Vincenta Rodrigues, petition for release of lands escheated to the State,	226
Suffolk co., time extended for collecting taxes in,	94, 99, 106
Suit against the State, in which the Trinity church is a party,	216
act to authorize the more speedy trial and termination of a certain,	773, 853
Suits against the State, Assembly bill to authorize a more speedy trial and settlement of a certain,	869, 968
Suits by and against stock companies, Assembly bill to amend act in relation to, passed April 7, 1849;	334, 414
Suits against State prison agents, notice of bill in reference to,	278
Sullivan co., bill from Assembly in relation to poor house,	486
	510, 683, 692, 708
Summit Four Corners, and Charlotteville, in Summit, Schoharie co., Assembly bill, separate road districts;	419, 714

Superior court and court of Common Pleas, and Marine court N. Y., Assembly bill in relation to the,	770, 880, 981, 954
	967
Superior court, N. Y., bill relative to the,.....	770, 880, 981
Supervisors of Delaware co., petition for amendment of the poor laws,.....	30
of Franklin co., resolution in relation to the militia law,.....	50
Greene co., to levy a tax for bridge, (see Cattakill.)	
Oneida co., bill to authorise the, to levy a tax of \$1,500 to build a court house in Utica, (see Utica.)	
New-York, to raise money by tax, 87, 92, 159, 192, 366 470, 497, 514, 521, 525, 603, 662, 680, 893, 946, 958	
bill to prevent boards of, from reducing the assessed value of real estate,.....	124
of Putnam co., petition that expenses of trial of Wm. Somers, for murder, be re-imburssed by Dutchess county,.....	130
(see equalization of assessments and the correction of assessment rolls.)	
(see tax rolls.)	
of Kings co., for a loan,	143, 179, 256, 264, 367, 940
clerks of supervisors, see resolution by Mr. Pierce,	126
	180
of Kings co., to build a court house, &c.,	549, 601
Superintendents of the canals, (see canal superintendents.)	
Superintendent of common schools in Homer, Cortland co., resolution to send to the Assembly for papers relating to the,.....	63
bill noticed,.....	93
bill from Assembly,.....	145, 158, 366, 373, 444
Superintendent of the poor, ineligible to the appointment of keeper of the poor house, petitions of citizens of Delaware co., for a law rendering the,	333
bill,	241, 264, 276, 279, 413, 470
Supreme court, bill to compensate constables attending the,	61
	77, 175, 198, 206
petitions to extend powers of the, in cases of divorce,	81
Supply bill, (see certain expenses of government.)	
Supply bill and appropriation bill, to be reported by the 15th day of March, and printed immediately, and made special order on 25th March, (see rules,) ..	85
resolution, by Mr. Taber, in relation to introducing the, forthwith,.....	429
(see certain expenses of government.)	
Support of government for the fiscal year, commencing October 1, 1852, Assembly bill,	620, 623, 645, 966
Support of government, (see Vanderbilt's bill and petitions under expenses of government.)	

Surrogates, notice of bill to authorize surrogates to take acknowledgments of deeds,.....	323
bill,	329
Surrogates' courts held by county judges, act in relation to,	956
966, 968, 1113, 1102	
Survivors and widows of those deceased in the war of 1812,	93
notice of bill for relief of the,	93
petition for an appropriation to the,....	244
Suspension bridge between Bellevue and Niagara Falls, remonstrance against a charter for a,	403, 1112
(see Niagara Falls international.)	
Susquehanna river, bridge over at Binghamton, (see Rock-bottom Bridge Co.)	
Syracuse, bill extending time for collecting taxes in the several wards in,	231, 235, 240
bill to amend charter of,	582, 583
bill to authorize the construction and maintenance of bridges over the canal at, 448, 496, 527, 597, 700	
750	
bill to amend act of April 11, 1848, in relation to public schools in,	501, 512, 683
Syracuse Home Asso., bill to incorporate the,....	334, 371, 783
Syracuse and Binghamton, and Oswego and Syracuse railroads, bill to consolidate, ...	323, 328, 414, 496, 528, 618, 644
Syracuse Savings Institution, bill to amend act of incorporation,	723
annual report of the,	244, 748
Syracuse Water Works Co., for an increase of capital,	143
bill,	147, 153, 158, 222, 229, 249, 333

T.

Taber, Mr., asking to have his name recorded in the affirmative on the resolutions for the enlargement and completion of the canals,	848
Talmage, petition for confirmation of sale of real estate in Kings co., by,	110
bill,	131, 225, 386, 420, 618, 644
Taxes, Dansville, Livingston co.,	72, 84, 175
collection of in Orangeville,	86, 93
in New-York, supervisors to raise money by tax, 87, 92	
159, 192, 366, 470	
in Suffolk, Yates, Richmond, Dutchess, Niagara, Essex, Madison Otsego and Albany,	94, 99, 106
in Montgomery, co., time extended,	98, 146, 221
in Kingston,	99
in Montgomery and Schenectady,	104, 106, 145, 221
to extend time for collecting, in 1852,	106, 116
in Fulton, Schoharie, to extend time,	109
sale of in Bushwick, Kings co.,	19

Taxes collection of, in Rome,.....	217, 218, 237
extension of time for collection of, in Pomfret, 218, 237	262
bill for extending time for collecting, in the 2d ward, Buffalo, several wards in Syracuse, the several towns in Albany co., town of Stephentown in Rensselaer co., and Westfield in the co. of Richmond, 231, 235 in Greenbush and Schodack,.....	236
in Kingston, Ulster co.,	236, 240
(see State tax).	
in Northfield, Richmond co.,.....	240
in Hempstead, Queens co.,	242, 242
bill introduced for extending the time for the collection of taxes in the several towns of this State,	242
unpaid taxes due from counties, see Comptroller, 251, 262	
in West Farms,	305
(see State debts.)	
bill to extend the time for the collection of, when stayed by injunction or otherwise,..	375, 413, 416, 432
assessment of, on incorporated companies,	1106
Taxes and assessments in New York, bill to simplify the manner of collecting,	50, 135, 192, 201, 326, 516
illegal, bill noticed for the recovery of,	137
bill,	147, 235, 301
(see village taxes and assessments.)	
Tax roll, bill providing for the completion of the, when omitted at annual meeting of supervisors, 868, 888, 1057	1058
bill to complete,.....	985, 989, 1087
Taxing leases for school and highway purposes, remonstrance against passage of the bill for,	695
Tax for highway purpose, petition for an increase of,	232
Tax and toll bill, select committee,	1083, 1084, 1086
Taylor , Esther, and others, petition of, for a release of the State in lands to Erasta Ann Wright,	283
Taxation , notice of bill with reference to, requiring a return of personal property to assessors, under oath,.....	39, 89, 89, 185
notice of bill in reference to, property under mortgage,.....	39, 89
repeal of law exempting property of ministers,	166, 747
petitions on the subject of,	217
of money loaned on bond and mortgage,	238
(see Union railroad co., Troy.)	
exemption of plank roads from,	257
bill to secure a more just valuation of property for,	462
715, 783, 1058, 1061, 1069, 1077, 1084	
bill to equalize taxation, 387, 494, 537, 560, 569, 600, 633	
(see real estate.)	1094, 1111

Taking testimony of witnesses in suits pending in other States, notice of bill to amend R. S. in relation to,	227
bill,	256
Teachers of common schools, notice of bill to provide for,	86, 98
	197, 324
associations, bill for authorising the formation of,	197, 301
	310, 319, 336, 555, 808
(see rising generation.)	
institutes, notice of bill, repealing act for the establishment of,	56
bill,	59, 66, 174, 198, 204
petition for appropriation to,	96
report adversely to petition,	178
Telegraphers, memorial of Henry O'Reilly, in relation to amending charter of Atlantic & Pacific railroad co., so as to secure right of way to,	143, 149
Temperance, communication from Susan B. Anthony, inviting the Senate to a meeting of temperance women,	84
Telegraph companies, bill to amend act to provide for the incorporation and regulation of,	367, 374, 909
bill to amend act of April 12, 1848,	536, 564, 573
Third reading of bills, (see resolutions.)	
motions and resolutions in relation to the,	523, 556, 593
	818, 664, 859, 901
Thompson, Smith, deceased, bill for relief of parties interested in certain lands devised by,	706, 743, 746, 769, 796
Thompson, Sullivan co., bill from the Assembly. Act to confirm title in Geo. Turner, jr., and Jos. Turner, to lands in,	145, 168, 326, 341, 361, 369, 395
Tibbitts, Geo. M. and Jas. Forsyth, petition of, canal damages,	293
bill,	313, 322, 332, 377, 384
Tilford, John, bill to confirm title of land,	566, 626
Tionghnoga river, (see Triangle.)	
bridge over the, in town of Triangle, Broome co.,	50, 55
	72, 174, 198, 206, 426, 432
Toll and tax bill, action on the,	514
Tolls on Champlain canal, resolution by Mr. Wright,	635
Tolls on plank roads, petition for increase of,	30, 66, 201
equalization of,	820
Tolls on railroads, (see State debts.)	
resolution to print Assembly bill relating to,	311
petitions to repeal law of 1851 abolishing,	324
petitions and remonstrances against tolls on,	346, 497, 510
	524, 557, 594, 616, 622, 640
petitions for tolls on,	346
memorial and resolution of chamber of commerce, N. Y., in relation to proposed amendment of the Constitution, and toll on railroads,	46

Tolls received on Champlain canal, resolution by Mr.	
• Wright requesting canal commissioners to report amount of,	105, 119, 129
resolution by Mr. Wright on same subject, calling upon the auditor for similar information,	160
report of auditor in answer to resolution of Mr. Wright, about tolls on,	196
Tomlinson, David, petition for relief from illegal taxes, &c.,	695
Tonawanda creek, bill for a bridge across, 387, 473, 800, 802, 846	
852, 1012, 1093, 1108	
Tonawanda Indians, act to provide for the education of the children of the,	111, 114, 376, 450, 466, 800, 911
harbor master at,	724
(see Lodge.)	
Tonawanda reservation, bill to provide for schools upon the, for Indian children,	111, 114, 376, 450, 466
Tonawanda village, bill for a bridge across the Erie canal at,	389, 620, 844
Town officers of Richmondville, (see board of town officers.)	
Town superintendent of common schools, notice of bill to amend laws in relation to the office of, and in relation to public instruction,	148
bill,	153, 197, 324, 391, 434, 461, 476
Town superintendents of common schools of Lee and Auriesville, bill for the, to appraise and distribute certain school monies,	387, 453
Tracey Female Seminary, petition of Lucilla Tracey for an act of incorporation for the,	45
report of committee against appropriation,	640
Treasurer, (see State Treasurer.)	
Treasurer (late) of Onondaga county, bill to settle claims against the,	389, 392, 436
Treasurer of St. Lawrence co., bill for the, to retain a portion of State tax of 1852 for county purposes,	449
Treasury, (see deficiency.)	
Treaties with other nations, resolution by Mr. Clark in relation to umpires,	138, 185
Triangle, Broome co., (see Tioughnioga river.)	
petition to build a bridge across Tioughnioga river, 50, 55	
bill,	72, 174, 198, 206, 426, 432
Trinity Church, suit against the State in which the Trinity Church is a party,	218
memorial of officers, &c., of,	391
Trotter, Lewis, bill for canal damages,	219
Troy, notice of bill to amend charter of, in relation to assessors,	170
bill,	171, 187, 320, 484, 499
common council, act to enlarge powers of, 196, 241, 303	
412	

Troy, closing of Sixth-st.,	226, 314, 322, 336, 484
(see Union Bank, of Troy.)	
Savings Bank, report,	565
invitation of citizens of, to participate with them in the coming anniversary of American Independence,	893
Turnpike companies, at Nyack, papers taken from files and referred,	37
(see State road from Orange.)	
resolution for the Ass. to transmit to the Senate, pa- pers relating to the,	40
Newburgh and Cohecton, 119, 124, 213, 270, 327, 341, 356 359, 618	
plank road companies, (see plank roads.)	
from Willsborough to Bosworth in Chesterfield in Essex co.,	153
Newburgh and Plattekill,	300, 304, 321, 339, 353, 780
first company of Great Western, 167, 217, 270, 366, 392 422, 677, 680, 837, 839	
Williamsburgh, Newtown, &c., 335, 379, 584, 754, 922, 984	
first company of the Northern turnpike, 167, 269, 296, 367 372, 417, 484, 499	
bill to enable turnpike companies to abandon their roads,	299
Dutchess,	622, 543, 567, 618, 645, 853, 880
Turnpikes, Flushing and Newtown,	937
Turner, James and George, Jr., bill to confirm title of, in lands in Thompson, Sullivan co., 145, 168, 326, 341, 361, 369 395	
Turnouts and sidings, res. by Mr. Conger, that the State en- gineer and surveyor report in relation to the con- struction of,	153
report of engineer relative to,	173
Tuscarora Indians, bill to provide for the education of the children of the,	501, 511

U.

Ulster co., treasurer of, to loan money for the erection of a county poor-house,	770, 773, 778, 783
(see N. Y. records to be removed.)	
Ulster County Savings Institution, bill to amend charter, 203, 223 255, 290, 322, 339, 354, 772	
Umpires, resolution by Mr. Clark,	138, 185
Unauthorised banking, notice of bill to amend sec. 3 of chap. 20, of Session Laws of 1837, in relation to,	686
Unfinished business of the last session, resolution by Mr. Peirce, in relation to manner of resuming the,	654
concurrent resolution,	654
Uniform companies, (see fifty cents commutation tax.)	

United States, bill to cede to the, jurisdiction over certain lands in and adjacent to the city of Brooklyn, 148, 256 264, 266, 803, 825, 847, 850	
petition,.....	817, 822, 841
bill ceding jurisdiction over the lands occupied as sites of light houses, &c.,.....	535, 620, 706, 904
United States Trust Co., N. Y., notice of bill to incorporate the,	104
bill,	110, 114, 215, 255, 264, 279, 607, 644
Union college, report of majority of committee to examine the affairs of,	261
report of minority of committee to examine affairs of,	261
memorial of the president of.....	338
memorial of trustees,	338
resolution to print memorial of trustees,	338
petition of L. Vanderheyden,	344, 364, 368, 483
resolution by Mr. Beekman to refer report of majori- ty and minority of the commissioners to investi- gate the affair of Union college, to a com. of 3 se- nators, to set after adjournment, hear all the par- ties, and report at present or next session, 355, 405, 406	
committee appointed for further investigation into the affairs of,.....	408, 999
resolution by Mr. Vanderbilt extending the time for com. on affairs of, to report, to 1st Sept., 1853,..	622
Union Bank of Troy, notice of bill for relief of the,.....	100
bill,....	104, 132, 232, 262, 275, 286, 289, 292, 484, 499
Union Cemetery, Bushwick, notice of bill to incorporate the,	203
bill,	257, 264, 271, 285, 303, 315, 618, 645
Union free schools, act to provide for,.....	430, 527, 780
Union Railroad Co., Troy, bill for taxation of the, 814, 821, 875	
Union school, of Warsaw, resolution to take papers from files and refer,	41
bill,.....	159, 170, 172, 284, 430
Union Springs, Assembly bill to amend charter, 447, 463, 604 622, 717	
Union Springs to Fayette, Assembly bill to establish a ferry from,.....	330, 363, 431, 470
University, bill noticed by Mr. Conger, in relation to the,	56
bill,	59
University, (State) resolution by Mr. Beekman, to grant the use of the Senate chamber to discuss the question of establishing a State university,.....	105.
National, resolution to take papers from files of the Senate, and refer to literature committee,	49
communication to attend meeting of the,.....	215, 223
Universities, Rochester,.....	149
Madison,.....	225
Auburn Female, 451, 560, 664, 859, 866, 887, 950, 1019, 1059	

University, Regents of the, sixth annual report,.....	62
motion to print 1,000 extra copies,.....	67, 91
Upham, Senator, resolution that the committee appointed March 22, 1852, in relation to charges against, report,..	419
Usury laws, petitions for repeal of the,.....	325
committee discharged,.....	939
Utica, court house, 79, 85, 186, 192, 196, 210, 227, 228, 343, 349	
jail limits,.....	129, 168, 326, 341, 351, 935, 949, 963
to take stock in, or loan the credit of, to aid the con- struction of Black river and Utica railroad, 324, 330	
368, 558, 562, 602, 703, 706	
remonstrance of citizens of Utica,.....	494
bill, to borrow money for building a City Hall in, 375, 379	
431, 470, 513, 518, 772	
bill in relation to the Utica academy,.....	447, 469, 692
water works company,.....	826, 845, 903, 940
Assembly bill to consolidate acts passed March 31, 1839,.....	880, 891, 911
Utica Insurance company, Assembly bill for relief of re- ceiver of the,.....	335, 496, 538, 562, 631

V.

Van Alstyne, Abraham, bill for canal damages, 219, 478, 546, 785	
Van Alstyne, Goshen P., petition for relief,.....	96
bill,.....	219, 478, 513, 549, 786
Van Alstine, J. N., petition for relief,.....	96
Van Alstyne, John C., Noah T. Fletcher, and Isaac J. Quackenbush, petition of, for losses sustained by obstructions to a culvert on the Erie canal,.....	114
adverse report of committee,.....	187
Van Cortlandt, Pierre and wife, Assembly bill relative to lands held in trust for the benefit of,.....	330, 385, 437
Vanderbilt, (Senator.)	
(see resolutions)	(see canals.)
(see Constitution.)	(see expenses of government.)
Vanderbilt, Mr., communication, in form of a resolution, in relation to an amendment of the Constitution, providing for the enlargement of canals, &c., and moved a reference to a select committee,	195
Vanderbilt, C., petition for confirmation of Letters Patent, 201	
bill to confirm the title of for land under water, 235, 496	
520, 574, 623, 1072, 1113	
Vanderheyden, L., (see Union College.)	
Van Eps, John C., resolution to take papers from files and refer,	37
bill,	188, 481
Van Gordon, Henry, right to ferry,	104
Value of property for taxation, (see taxation.)	

Van Schoonhoven, Senator, permitted to record his name in the affirmative, on the final passage of the concurrent resolutions for an amendment of the Constitution, in relation to canals,	509
Vebber, Christian, resolution to send to the Assembly for papers relating to claim of,	82
Ventilating the capitol, (see resolutions by Vanderbilt.)	
Vernon, Oneida co., bill to constitute a separate road dist., message from the Assembly, to send papers to that body relative to separate road dist,	389
petitions,	97
bill,	392
	389, 399, 587
Veteran corps of the war of 1812, resolution to take petitions and papers presented by the survivors of the from files and refer,	82
(see survivors and widows.)	
communication from the commander of the, relative to meeting the Legislature in the Assembly chamber, on the 8d inst.,	136
Villages, (see bill under name of village,) incorporation of, act amended,	867, 1011, 1059
Village taxes and assessments, bill for the recovery of,	301
(see taxes and assessments.)	
Volunteers of the war of 1812, resolution by Mr. Beekman, that the Comptroller report in relation to the pay of the,	251
report of Comptroller,	263
(see New-York regiment.)	
Voluntary assignments, bill to amend R. S.,	572, 705
Vrooman, Chas. and Levi Hulbut, resolution to send to the Assembly for papers on file of,	57
bill,	122, 295, 306, 337, 390

W.

Wages of State prison convicts, (see families of.)	
Walker, Mary Ann, bill to release interest of State to, ..	146, 168
	366, 373
Walton, bill in relation to powers and duties of the trustees of the village of,	723, 736, 737, 796
Wanton and malicious mischief, bill for the more effectual prevention of,	919, 931, 1004
War of 1812, (see veterans,) (see survivors and widows.)	
Wards, (see guardians and wards.)	
Ward, Alexis, and Thos. Wilson, bill for canal damages, ..	531, 596
	617, 675
Warren co., bridge across Hudson river in, ..	41, 70, 152, 422, 376
	374, 462, 566

Warren, Essex and Hamilton, bill in relation to non-resident lands in,	445, 758, 767
Warsaw, Union schools, resolution to take papers from files of the Senate and refer to committee,	41
Union free schools in,	284, 772
common schools in,	159 170, 172
bill for consolidated school dist. No. 7 in,	401, 772
Warsaw, bill to consolidate school district No. 7, Sherburne, Chemango co., and of No. 10 in, 85, 87, 92, 409, 424, 439 drain in,	985, 1103, 1113, 1049, 1081
Washington's birth day, resolution by Mr. Wright, that Tuesday, the 22d of February, being anniversary of the birth day of Geo. Washington, that when the Legislature adjourn on Saturday, the 19th inst., it will adjourn to meet on Wednesday, the 23d inst.,	206
concurrence of Assembly,	209
Washington county jury district, bill relative to the, 449, 560, 613 judge, bill authorizing the, to appoint a crier of the courts in,	461, 704, 820
Washington Head-Quarters, petition for law providing for payment of certain money expended by trustees of village of Newburgh,	217
Wasson, Jas. D., President of Orphan Asylum, inviting the Senate to attend the exhibition of the children of that institution,	69
Waterford village, resolution to take from files papers relating to the amendment of the charter of,	37
bill for trial of minor offences in,	56, 60, 307, 358
police of, and special sessions,	816
Water in Brooklyn, notice of bill to supply,	46
bill,	50, 297, 722, 746, 756
Water in Fort Ann, resolution to take from Assembly, papers relating to supply of,	107, 495, 692
Water in Newburgh, bill to supply, 67, 73, 77, 81, 82, 132, 175 181, 182, 216, 229, 284, 1060	
Water in Utica, (see Utica.)	
Water line, New-York harbor, (see harbor.)	
Waterloo, bill for free schools in,	377, 386, 431, 496, 577
Water works, Rochester, Assembly bill,	532, 592, 690, 599
Water works, Rome, notice of bill to revise charter,	681
bill introduced,	686, 705, 715, 816
Water works company, Syracuse, increase of capital, 143, 147 153, 158, 222, 229, 249, 333	
Water works company, Sing Sing, bill to incorporate the, 705 730, 809, 1057	
Watertown, petition for alteration of charter,	408
legalizing elections in,	417
act in relation to the village of,	494, 499

Watertown and Rome Railroad, petition of president,	134
notice of bill to amend charter,	137
bill,	147, 187, 290, 289, 304, 744, 752, 765
Watertown Pamela and Wilna, bill for a loan, 844, 887, 1068	
	1093
Watertown, water in, bill to supply the village of Water-	
town with water,	333, 362
Waterville fire company, bill to amend act of incorporation, 448	
	464, 688
Watervliet Plank Road Company, notice of bill to amend	
charter of the,	46
bill,	67
Watervliet turnpike, (see Albany.)	
Water in Schenectady, petition for, . . . 226, 269, 474, 537, 681	
remonstrance,	261
memorial common council,	715
Water in Ithaca, bill for, . . . 272, 310, 340, 367, 411, 444, 772	
Way passengers, (see railroad consolidation.)	
Way fare on railroads, petition relative to directors on rail-	
roads, and in relation to,	269
Wayne co., Assembly bill for erecting a new court house	
and jail in,	493, 494, 512, 513, 578
Ways and means, printing of minority report of the com-	
mittee of, . . .	275
Webber, Christiana, bill for relief of, . . .	158, 380
Wemple, Silas V., bill for canal damages, . . . 219, 478, 546, 785	
Westchester co., resolution to send to the Assembly for pa-	
pers on file, in relation to levying a tax in, for building	
engine houses,	53, 188
(supervisors of, see school moneys.)	
Westchester co., savings bank, Assembly bill to incorpo-	
rate the,	532, 595, 1007
Westchester, (late town of,) resolution to send to the As-	
sembly for papers relating to custody of books, &c., of	
the late town,	53
Westfield, Richmond co., bill from Assembly extending time	
for collecting taxes in,	231, 235, 240
Western house of refuge, message from Assembly, that they	
had ordered the printing of 500 extra copies of	
the report of the, for managers,	152
Assembly bill to supply deficiency in appropriation	
for support of the,	534, 724, 827
Assembly to supply water to the, . . . 602, 954, 976, 1008	
Western New-York Live Stock insurance company, Assem-	
bley bill to amend act,	898, 413, 430, 858, 912
Western, Oneida co., Assembly bill to tax, for support of	
roads and bridges,	500, 577
Western State lunatic asylum, bill to authorise the estab-	
lishment of the,	198, 276, 745

1233

Westervelt, Jacob A., and George A. Matsell, petitions of, for greater facilities for improving and elevating the minds of the rising generation,	166
West Martinsburgh & Copenhagen plank road company, petition of trustees,	178, 213
West Farms, Westchester co., bill from Assembly to appoint a collector of taxes in, and to extend the time for collection of taxes,	305
Assembly bill to incorporate school district No. 1, ..	619
	641, 767, 796
West Troy, Assembly bill for a bridge at,	620, 632, 646
Wetmore, A., petition for canal damages, 131, 219, 478, 553, ..	785
Wharves and piers in harbor of N. Y., bill relative to,	933
Wheeler, Geo. D., and others, petition for relief,	144
Whitehall Bank, report of unclaimed dividends,	72
Whitehall village, notice of bill to amend charter,	203
petition for amendment of charter,	243
bill,	256, 270, 366, 371, 421, 780, 820, 941
Whitman, Peter, petition that he may be restored to the rights of a citizen,	378
Widows' and Orphans' Fund of the Associate Presbyterian church of North America, notice of bill to incorporate the,	111
bill,	115, 118, 215, 241, 287, 395, 316, 317, 760
Wilkin, Alen, or Alice Q., petition for relief, (canal damages;)	178
bill,	233, 479, 520, 549, 785
Williams, Joshua S., bill for canal damages, .. 219, 513, 552, ..	786
Williamsburgh, petition that bill to prevent injustice in the construction of railways in N. Y., be extended to, ..	101
(see municipal government of.)	
bill to amend act of incorporation of the city of, passed April 7, 1850,	619, 642, 910
bill for docks, piers and bulkheads in,	723, 730, 734
bill to close part of South 10th street,	731, 764, 770
(see Division Avenue railroad.)	
Williamsburgh Savings Bank, annual report,	131
Williamsburgh Water Works, bill to amend act of 1852, ..	390, 563
	571, 618, 646, 664, 722, 746, 756
Williamsburgh Turnpike Road and Bridge Co., bill for relief of the,	335, 379, 584
Williamsburgh and Cyprus Hill Plank Road Co., bill to increase capital,	867, 932
Wiles, D., petition and bill, claim of,	102, 123, 478
Wiles, John J., resolution in relation to repealing act relative to relief of,	75, 79, 85
Wills, disputed; bill in relation to, 310, 314, 385, 431, 470, 539	
	662, 680

Willis, Joseph, message from the Ass. to transmit to the House papers on file in relation to claims of,	38
Wilna, bill to authorize commissioners of highways to lay out road 3 rods wide,	485, 510, 604, 617, 697, 709
Wilson, Peter, Cayuga chief, memorial of,	319
(see Cayuga Indians.)	
Witnesses in suits pending in other States, notice of bill in relation to taking testimony of,	227
bill,	256
Witteram, Frederick, bill to change, name of, ...	448, 703
Wolcott, Wayne co., bill to amend charter,	446, 464, 592
Woolworth, S. E., invitation of, for the Legislature to attend closing exercises of the Normal school,	1011
Worden, Wm. E. and Morgan, resolution to take petition and papers relating to the claim of, from files and refer,	31
bill for deficiency in land sold them, 66, 81, 83, 95, 173	
	199, 203, 499
affidavits in relation to claim,	156
Work house on Blackwell's Island, petition to raise \$75,000 for the erection of the south wing of the,	510
bill,	556, 567, 618, 644
Work house, Monroe county, bill,	398, 465, 684
Worrell, Joshua, papers sent to the Assembly,	128
Wotherspoon, Geo., an alien, petition for relief,	38
bill,	50, 60, 64, 65, 129
Wright, Elihu C., petition for relief,	178
Wright, Erasta Anne, release of the interest of the State to,	233
	254, 327, 341, 357, 360, 781
Wyoming county, petition of supervisors of, for a law making clerk of said county a salary office,	58
bill,	285, 384, 400, 425, 467
Wyoming and Cattaraugus, bill to subscribe to stock of Attica and Allegany Valley Railroad, 881, 916, 945, 954, 971	
	1003, 1067, 1079

Y.

Yates co., bill to extend time for collection of taxes in, 94, 99, 106	
late loan commissioners of, relief,	33, 79, 143, 319, 321
	344, 346
records of Ontario and Steuben, to be transcribed and deposited in,	258, 381, 431, 711
Young Men's Association, Albany, bill to amend act of incorporation,	389, 391, 441
invitation to Legislature to participate with the, in celebrating the 4th July,	850
Ogdensburg, bill to incorporate the,	937, 949, 1049
Yonkers, bill to incorporate the village of,	1093, 1099, 1107